



## State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT  
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TRENTON, NJ 08625-0716

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*Assistant Commissioner*

The following Decision is distributed for your information. This Decision has been made in consideration of the specific facts of this case. This Decision is not to be interpreted as establishing any new mandatory policy or procedure otherwise officially promulgated.

STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW **01613-25 J.C.**

AGENCY DKT. NO. **C240962004 (CAMDEN-CCBSS)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's EA benefits, and imposed a six-month EA ineligibility penalty, contending that she failed to comply with her EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 28, 2025, the Honorable Mamta Patel, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On January 29, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, following an independent review of the record, I hereby MODIFY the Initial Decision and AFFIRM Agency's determination, based on the discussion below.

In order to be eligible for Work First New Jersey/General Assistance ("WFNJ/GA") benefits, the total countable income of the unemployable single adult, or couple without dependent children, must be equal to or less than the maximum benefit payment level for the size of the assistance unit as set out in Schedule V at N.J.A.C. 10:90-3.6(a). See N.J.A.C. 10:90-3.1(b)(1). Effective July 1, 2019, the maximum benefit level for an unemployable WFNJ/GA AU, consisting of one person, is \$277 per month. See N.J.A.C. 10:90-3.6(a); see also DFD Informational Transmittal ("IT") No. 19-21.

The purpose of EA is to meet the emergent needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work activities without disruption and continue on a path to self-sufficiency. N.J.A.C. 10:90-6.1(a). In order to maintain eligibility for EA benefits, the recipient must take reasonable steps to resolve his or her emergent situation. N.J.A.C. 10:90-6.6(a). Reasonable steps include, but are not limited to, the EA benefits recipient participating in the development of, and complying with, a written and signed SP. Ibid. Failure to comply with the requirements identified in the SP, without good cause, shall result in the termination of EA benefits and a six-month period of EA ineligibility. Ibid.

Here, the ALJ found, and the record substantiates, that Petitioner applied for EA benefits, in the form of Temporary Rental Assistance (TRA), on April 3, 2023, and subsequently executed four SPs on April 3, 2023, October 2, 2023, May 9, 2024, and October 18, 2024, wherein she agreed, among other things, to submit proof of weekly housing searches, copies of her utility bills, and to report any changes in her household and income. See Initial Decision at 2-3; see also Exhibit R-10, and N.J.A.C. 10:90-6.6(a). On August 7, 2024, the Social Security Administration ("SSA") found Petitioner to be disabled effective September 2022, and informed her she would begin to receive monthly Supplemental Security Income



("SSI") beginning September 2024. See Initial Decision at 3; see also Exhibits P-12, R-11 through R-15. Petitioner had never provided the Agency with any SSI documentation, however, during October 2024, the Agency became aware of Petitioner's receipt of SSI. See Initial Decision at 3. On October 10, 2024, Petitioner emailed an Agency employee requesting an appointment to bring in her SSA award letter, which was scheduled for October 18, 2024. Ibid; see also Exhibit P-10. Although Petitioner did appear at the Agency on that day, she did not bring the SSA award letter with her. See Initial Decision at 3-4; see also Exhibit R-10. On October 29, 2024, the Agency emailed Petitioner that they were aware she was receiving SSI payments that had not been reported. See Initial Decision at 4; see also Exhibit R-15. On December 1, 2024, the SSA notified Petitioner that her benefits would be increasing effective January 2025, but Petitioner never notified the Agency. See Initial Decision at 5; see also Exhibits P-13, P-15. On January 27, 2025, the day prior to the hearing, Petitioner provided the Agency the SSA letters and other exhibits. See Initial Decision at 5; see also Exhibits P-1 through P-13.

Separately, Petitioner's landlord had notified her during August 2024 that her rent would be increased effective October 1, 2024, however, Petitioner did not inform the Agency until she received a notice of non-payment of rent for October 2024 and November 2024. See Initial Decision at 4; see also Exhibit P-7. The Agency advised they would pay the rent for October and November 2024, on the condition that Petitioner pay the outstanding late fees. See Initial Decision at 4.; see also Exhibit R-15. Petitioner ultimately paid \$300 of the total of \$404 in late fees owed to her landlord and the Agency paid Petitioner's rent for October and November 2024. See Initial Decision at 5; see also Exhibits P-6, P-7, R-3 through R-7, and R-9.

The ALJ found, and the record reflects, that Petitioner failed to comply with a number of requirements contained in her SPs, with no good cause credibly shown, by continually failing to provide proof of housing searches, documentation related to receipt of SSI, copies of utility bills, and information regarding changes in her rent and income. See Initial Decision at 6-7; see also N.J.A.C. 10:90-6.6(a). Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 7. I agree.

Additionally, while the ALJ in this matter did not directly rule upon the transmitted issue of the termination of Petitioner's Work First New Jersey/General Assistance ("WFNJ/GA") benefits, I find that as Petitioner is now in receipt of SSI benefits, she no longer qualifies for receipt of WFNJ/GA benefits, as her unearned income from SSI benefits exceeds the maximum allowable benefit level for continued WFNJ/GA eligibility. See Initial Decision at 5; see also Exhibit P-1, and N.J.A.C. 10:90-3.1(a), (b), -3.6(a), and DFD IT No. 19-21. The Initial Decision is modified to reflect this finding.

By way of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with his current needs, including Social Services for the Homeless.

Accordingly, the Initial Decision is hereby MODIFIED, and the Agency's determination is AFFIRMED, as outlined above.

Officially approved final version. February 07, 2025

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Natasha Johnson  
Assistant Commissioner

