



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT
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NATASHA JOHNSON
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 **14466-25 T.T.**

AGENCY DKT. NO. **C101822018 (SOMERSET COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance benefits ("EA"). The Agency terminated Petitioners' EA benefits, contending that he had exhausted his 12-month lifetime limit of EA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 26, 2025, the Honorable Claudia L. Marchese, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents, and the record was closed. On August 27, 2025, the ALJ issued an Initial Decision, reversing the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision and hereby ADOPT the Initial Decision and REVERSE the Agency's determination, based on the discussion below.

Under the Work First New Jersey ("WFNJ") regulations, EA benefits are limited to 12 cumulative months during the lifetime of a case, plus limited extensions. See N.J.A.C. 10:90-6.4(a) and -6.4(b). A Work First New Jersey/General Assistance ("WFNJ/GA") recipient may qualify for a six-month extension of EA benefits when an "extreme hardship" exists pursuant to the criteria set forth in N.J.A.C. 10:90-6.4(b) and N.J.A.C. 10:90-6.4(c). Thus, the maximum amount of EA benefits that a WFNJ/GA benefits recipient may receive is 18 months.

Here, the record reveals that, upon his release from incarceration, Petitioner applied for EA on August 16, 2024, at which time the Agency approved his application and placed him at a motel, where he has since been sheltered. See Initial Decision at 2-3. On October 28, 2024, Petitioner was referred to the WFNJ Substance Abuse Initiative/Behavioral Health Initiative ("SAI/BHI"), and thereafter underwent an intake interview on November 11, 2024. See Initial Decision at 3. From January 10, 2025 to May 14, 2025, Petitioner successfully attended weekly counseling as required, and his counselor determined he was stable and closed his SAI/BHI case. *Ibid.*; see also Exhibit R-2. On May 22, 2025, the Agency determined that Petitioner was ready to begin a work activity and on May 27, 2025, he was referred to a WFNJ workshop. See Initial Decision at 3. Petitioner attended the workshop orientation on July 22, 2025, and continues to participate in the program in order to build his resume and gain job-search and interview skills. *Ibid.* The ALJ found that Petitioner has attended job fairs, registered with multiple staffing agencies, and applied for numerous jobs as well as completing the New Jersey Reentry Corporation program, an anger-management program, a battery-intervention program, and participating in the JOBS program through Mercer County Probation Division. *Ibid.*; see also Exhibit P-1. Based on the foregoing, as well as the testimonial and documentary evidence presented, the ALJ concluded that Petitioner has completed all requirements of his EA service plan ("SP"), but has not been successful in obtaining employment or finding permanent



affordable housing. See Initial Decision at 3. Further, Petitioner testified that he received an offer of employment, which was rescinded due to an adverse background check, and that other applications have been impacted due to his pending criminal matter. Ibid.; see also Exhibit P-1. Petitioner had a hearing in Superior County for entry into a pretrial intervention program on September 9, 2025, which may affect his ability to find employment. See Initial Decision at 4.

Based on the foregoing, the ALJ found that, while Petitioner has received twelve months of EA, he has demonstrated that he has taken all reasonable steps towards resolving his emergent situation but that, despite such efforts, he remains in an emergent situation. See Initial Decision at 4. According, the ALJ concluded that Petitioner is eligible for a six-month hardship extension of EA pursuant to N.J.A.C. 10:90-6.4(b). Ibid. As such, while it is clear that Petitioner did, in fact, exhaust his 12-month lifetime limit of EA benefits, based on the record presented, I agree that, based upon the totality of the particular circumstances in this matter, Petitioner should be granted a six-month hardship extension of EA benefits. Therefore, I direct that the Agency provide Petitioner with EA benefits on an expedited basis.

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

Officially approved final version.

September 11, 2025

Natasha Johnson

Assistant Commissioner

