



State of New Jersey

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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 **16170-25 A.J.**

AGENCY DKT. NO. **C271004009 (HUDSON COUNTY DEPT OF FAM SVCS)**

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. Initially, the hearing in this matter was scheduled for November 5, 2025, at which time a pre-hearing conference was conducted and the matter continued to December 8, 2025. On December 8, 2025, an additional pre-hearing conference was held and the matter continued to January 8, 2026. On January 8, 2026, the Agency representative failed to call in for the hearing and the hearing was adjourned to January 21, 2026. The hearing was then adjourned to February 2, 2026, on which date the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On February 19, 2026, the ALJ issued an Initial Decision, affirming the Agency's determinations.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, following an independent review of the record, I hereby ADOPT the Initial Decision and AFFIRM Agency's determinations, based on the discussion below.

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 had completed an EA SP, wherein she agreed, among other things, to submit proof of employment searches and to provide proof of her payment of her rent contribution towards the cost of her emergency placement. See Initial Decision at 2-3; see also Exhibit R-1, and N.J.A.C. 10:90-6.6(a). At the time of the termination of EA benefits, the Agency asserted that Petitioner had failed to pay her portion of her shelter costs for the months of July, 2025, and August, 2025, and that she had failed to provide employment searches. See Initial Decision at 2-3; see also Exhibit R-1. At some point prior to the February, 2026, hearing date, Petitioner did produce a



list of employment searches from July, 2025, however, no proof of employment searches from August, 2025, was ever produced. See Initial Decision at 3; see also Exhibit P-1. Petitioner further testified that she had come to an agreement with her landlord to pay her portion of the rent late with a late fee, however, the Agency contended that they were never consulted, nor consented, to such an arrangement. See Initial Decision at 3; see also Exhibit P-2. Further, emails between Petitioner's landlord and the Agency run counter to the testimony by Petitioner, as the landlord sought to have the Agency "cover" Petitioner's outstanding rental arrears. See Initial Decision at 3; see also Exhibit R-1.

The ALJ found, and the record reflects, that Petitioner failed to comply with a number of requirements contained in her SP, with no good cause credibly shown, by failing to provide proof of employment searches, as well as by failing to provide proof of payment of her shelter contribution. See Initial Decision at 4; see also Exhibit R-1, and N.J.A.C. 10:90-6.6(a). Petitioner was provided every opportunity to cure the reasons for her intended termination, including several postponements of her fair hearing, which she failed to do. See Initial Decision at 2-4. 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 4. I agree.

By way of comment, because Petitioner has received continued assistance pending the outcome of this fair hearing, Petitioner is advised that her six-month EA ineligibility penalty shall begin to run as of the date of the issuance of this Final Agency Decision.

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

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

Officially approved final version. April 08, 2026

Natasha Johnson
Assistant Commissioner

