



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 **04871-26 C.L.**

AGENCY DKT. NO. **C160814001 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)**

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 he failed to comply with his EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 22, 2026, the Honorable Carl V. Buck III, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record was then held open to allow for the submission of additional documentation and closed on May 28, 2026. On June 16, 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 the Agency's determination, 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 applied for EA benefits on May 12, 2025, and, on June 6, 2026, Petitioner executed an EA SP, wherein he agreed, among other things, to seek services through the One Stop, apply for housing, seek full-time employment, and seek work activity/training. See Initial Decision at 2; see also Exhibit R-1, and N.J.A.C. 10:90-6.6(a). On March 15, 2026, the Agency notified Petitioner that his failure to comply with his EA SP would result in the termination of his EA benefits and an ineligibility period of six-months. See Initial Decision at 2-3; see also Exhibit R-1. At the time of the hearing, Petitioner did not deny that he had failed to comply with the terms set forth in his EA SP. See Initial Decision at 3.

Based on the foregoing, the ALJ found, and the record reflects, that Petitioner failed to comply with the requirements contained in his SP, with no good cause credibly shown. See Initial Decision at 4-5; 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. Ibid. I agree.

By way of comment, because Petitioner has received continued assistance pending the outcome of this fair hearing, his six-month EA ineligibility penalty will 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 his 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. August 04, 2026

Natasha Johnson
Assistant Commissioner

