



State of New Jersey

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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 17354-25 E.C.

AGENCY DKT. NO. **C104904003 (BURLINGTON COUNTY BD. OF SOC. 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. On March 2, 2026, the Honorable Advia Knight Foster, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On March 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 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 July 24, 2025, on behalf of herself, her spouse, and their five minor children. See Initial Decision at 2; see also Exhibit A. On that same date, Petitioner executed a Rules and Regulations for Emergency Shelter Placement and an EA SP. See Initial Decision at 2; see also Exhibit A, and N.J.A.C. 10:90-6.6(a). On August 11, 2025, the manager at the motel where Petitioner and her household had been placed, received an email seeking to terminate Petitioner's placement for fighting and having unauthorized guests in the room. See Initial Decision at 2; see also Exhibit B and N.J.A.C. 10:90-6.1, -6.6. On August 12, 2025, the Agency terminated the placement. See Initial Decision at 3. Also on that date, the Agency sent a thirty-day notice requesting that Petitioner comply with the mandatory requirements contained in her EA SP, including submitting bank statements from October, 2024 to the present, to evidence how Petitioner's spouse spent his unemployment income, to provide housing searches for June, 2025 and July, 2025, to provide verification of enrollment in a Substance



Abuse Initiative/Behavioral Health Initiative (“SAI/BHI”) program for Petitioner and her spouse, and to provide information as to how Petitioner’s spouse was addressing his noncompliance with his Work First New Jersey(“WFNJ”) program requirements. Ibid.; see also Exhibit B.

At the time of the hearing, as to the email from the hotel which was used as support that Petitioner engaged in disruptive behavior and was not in compliance with shelter rules, the ALJ found that no one with firsthand knowledge of the allegations against Petitioner regarding the violations of her shelter rules was present at the hearing to attest to the truth of the alleged violations. See Initial Decision at 4; see also N.J.A.C. 1:1-15.5(b). Accordingly, the ALJ concluded that the Agency had failed to meet its burden of proof to show, by a preponderance of the credible evidence, that Petitioner had violated the terms of her shelter rules. See Initial Decision at 4. I agree.

The ALJ found, however, and the record reflects, that Petitioner failed to comply with the requirements contained in her SP, with no good cause credibly shown, by continually failing to provide proof of housing searches, by failing to submit verification of enrollment in a SAI/BHI program, and by failing to comply with the WFNJ work requirements. 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 also agree.

By way of 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 30, 2026

Natasha Johnson
Assistant Commissioner

