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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 **04098-26 J.P.**

AGENCY DKT. NO. **C072880015 (OCEAN COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of her Work First New Jersey/General Assistance ("WFNJ/GA") benefits, at redetermination, and the termination of her Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's WFNJ/GA benefits, contending that Petitioner failed to participate in the redetermination interview necessary to determine continued eligibility for benefits, and terminated her EA benefits because Petitioner was no longer a WFNJ or a Supplemental Security Income ("SSI") benefits recipient, and also due to abandoning her EA placement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 11, 2026, a prehearing conference was held in this matter, which necessitated that the matter be adjourned. On May 19, 2026, an additional prehearing conference was held, and an additional adjournment was granted. On June 5, 2026, the Honorable Mamta Patel, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. Following the submission of additional documentation on June 8, 2026, the record was closed. On June 11, 2026, the ALJ issued an Initial Decision, reversing the Agency's determination regarding the termination of Petitioner's WFNJ/GA benefits, and termination of EA based on non-eligibility, and affirming the Agency's determination regarding the termination of EA based upon Petitioner abandoning her EA placement.

Exceptions to the Initial Decision were received from the Agency on June 23, 2026.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, and MODIFY the Agency's determinations, based on the discussion below.

For WFNJ, "A permanent residence is not an eligibility requirement. If an applicant expresses an intent to reside in the county or municipality, by providing verification of residence or by affirmatively stating his or her intent to reside in the jurisdiction, for purposes of WFNJ eligibility, the applicant shall be deemed to be a resident of such county and/or municipality." See N.J.A.C. 10:90-2.12(c).

N.J.A.C. 10:90-3.22(a)(2) states that, "WFNJ/GA cases, which are designated in accordance with N.J.A.C. 10:90-2.9 as 'employable,' shall be redetermined [for continued WFNJ/GA benefits] at least every six months."

Only WFNJ and SSI benefits recipients are eligible for EA benefits. See N.J.A.C. 10:90-6.2(a).

The record in this matter reveals that Petitioner was approved for WFNJ/GA benefits on September 9, 2025, with a six-month certification period, and that on October 9, 2025, Petitioner was approved for EA benefits in the form of a motel placement. See Initial Decision at 3. On December 8, 2025, the Agency sent Petitioner notification that she was



scheduled for a redetermination of benefits interview on December 10, 2025, in order to complete her February, 2026 redetermination application. Ibid.; see also Exhibit R-2. On December 10, 2025, an Agency representative reached Petitioner by telephone and indicated that her interview could not take place that day and that the interview would be rescheduled. See Initial Decision at 3. On December 16, 2025, the Agency sent a notification to Petitioner that her telephone interview was rescheduled for December 30, 2025. See Initial Decision at 4; see also Exhibit R-3. At the time of the hearing, an Agency representative testified that she phoned Petitioner on December 30, 2025, was unsuccessful in reaching her, and was unable to leave a message. See Initial Decision at 4; see also Exhibit R-6. Also on December 30, 2025, the Agency sent Petitioner notice, indicating that her WFNJ/GA benefits case would close, with the last benefits payment to be made January 1, 2026, as she had failed to participate in the required redetermination interview. See Initial Decision at 4; see also Exhibit R-1. Thus, the case did not actually close until February 1, 2026, and Petitioner had the month of January to complete the required redetermination interview in order to continue to receive WFNJ/GA benefits. See Exhibit R-1.

At the hearing, Petitioner testified that she had not received any calls from the Agency on December 30, 2025, and produced a redacted copy of her cellular telephone bill as evidence. See Initial Decision at 4; see also Exhibit P-1. Petitioner did testify that she made an outgoing call to the Agency on that date, and left a message for a caseworker, but that she did not receive a callback. Ibid. Petitioner further testified that she phoned the Agency caseworker on December 31, 2025, and January 2, 2026. See Initial Decision at 5. Petitioner testified that she had discussions with the Agency caseworker regarding relocating to another county to an apartment and that thereafter, various communications occurred with the apartment representative based on Petitioner's understanding that her case would be transferred to the other county. Ibid. Petitioner testified that she never received any direct authorization or documentation from the Agency regarding approval to move out of county. Ibid.

The Agency representative testified that Petitioner had been approved for an EA motel placement through January 31, 2026, and that no approval to move to an out of county apartment was provided. See Initial Decision at 5; see also Exhibit R-5.

Separately, on January 20, 2026, the Agency was informed by the motel placement that Petitioner had not been at the motel since January 1, 2026. See Initial Decision at 6; see also Exhibit R-7. Based upon such representation, the Agency sent an EA termination notice to Petitioner on January 26, 2026, terminating her benefits for abandoning her EA placement without notice. See Initial Decision at 6; see also Exhibit R-8 and N.J.A.C. 10:90-6.3(e)(1)(ii).

The ALJ in this matter found that, based upon Petitioner's phone records, no call was made to Petitioner from the Agency to conduct the redetermination interview on the scheduled date and as such, the ALJ opined that Agency did not fulfill its obligation to properly assess Petitioner's February, 2026 redetermination application, and should not have terminated her WFNJ/GA benefits. See Initial Decision at 7; see also N.J.A.C. 10:90-3.22(a). Further, as the ALJ determined that Petitioner's WFNJ/GA benefits should not have been terminated, the ALJ concluded that Petitioner's EA benefits should not have been terminated in that instance. See Initial Decision at 7-8. However, as to the subsequent January 20, 2026, EA termination, the ALJ found that Petitioner failed to provide any legally competent evidence that the Agency ever authorized a move to another county, and as such, the ALJ affirmed the Agency's EA termination for having abandoned her EA placement. See Initial Decision at 8; see also also N.J.A.C. 10:90-6.3(e)(1)(ii).

An independent review of the record clearly reflects the fact that, on or about January 1, 2026, immediately subsequent to the December 30, 2025 WFNJ/GA and EA terminations, Petitioner moved to a different county, and that Petitioner had not been at her EA placement since January 1, 2026, thereby abandoning her EA placement. See Initial Decision at 6; see also Exhibits R-7, R-8. Thus, the record substantiates Petitioner's clear intent to reside in another county beginning in January 2026. See N.J.A.C. 10:90-2.12(c). As such, I find that, based on Petitioner's clear intent to reside in another county, combined with the abandonment of her EA placement in Ocean County on or about January 1, 2026, that the Agency's termination of Petitioner's WFNJ/GA benefits, effective February 1, 2026, and the Agency's termination of Petitioner's EA benefits were proper. Ibid.; see also N.J.A.C. 10:90-6.3(e)(1)(ii). The Initial Decision and the Agency's adverse action notices are both modified based on the above findings.

By way of comment, Petitioner is without prejudice to reapply for WFNJ/GA and EA benefits in her current county of residence, but is reminded that she must provide all information and documentation requested, as well as participate in any required interview(s), in order to determine eligibility.

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



Officially approved final version. August 26, 2026

Natasha Johnson
Assistant Commissioner

