



State of New Jersey

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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 **02932-26 J.R.**

AGENCY DKT. NO. **S611958012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioners (J.R. and B.P.) appeal from the Respondent Agency's termination of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. Petitioners further appeal the Agency's denial of a hardship extension of EA benefits. The Agency terminated Petitioners' EA benefits, and imposed a six-month EA ineligibility penalty, contending that they failed to comply with their EA service plans ("SPs"). In addition, the Agency denied further EA benefits, contending that Petitioners have exhausted their lifetime limit of EA benefits, and did not qualify for a further extension of EA benefits at the present time. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 12, 2026, the Honorable Joan M. Burke, 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 then closed on May 20, 2026. On June 8, 2026, the ALJ issued an Initial Decision, affirming the Agency's determinations.

Exceptions to the Initial Decision were received from Petitioners on June 24, 2026.

As Assistant Commissioner, Division of Family Development, Department of Human Services, following an independent review of the record, I hereby MODIFY the ALJ's 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 Petitioners applied for, and began receiving EA benefits in February, 2025. See Initial Decision at 3; see also Exhibits R-14, R-15. On May 6, 2025, and August 26, 2025, Petitioners executed EA SPs, and EA Verification Lists, wherein they agreed, among other things, to submit proof of weekly housing and employment searches, as well as to attend case review meetings with the Agency. See Initial Decision at 3; see also Exhibits R-1, R-2, R-6, R-7, and N.J.A.C. 10:90-6.6(a).



Thereafter, Petitioners failed to submit housing logs for July, 2025, and August, 2025 through December, 2025 and failed to submit employment searches from August 29, 2025 through December, 2025. See Initial Decision at 3; see also Exhibits R-3, R-4, R-5, R-8, R-9. Additionally, Petitioners failed to attend their scheduled case review with the Agency on January 2, 2026. Ibid.; see also Exhibit R-10. The Agency sent Petitioners a termination notice on January 2, 2026, effective March 1, 2026, due to the violations of their EA SPs. See Initial Decision at 3; see also Exhibit R-10. Subsequently, Petitioners submitted an EA hardship extension application, and were found ineligible, as they did not meet the eligibility requirements for any extension of EA benefits. Ibid.; see also Exhibits R-11, R-12.

The ALJ found, and the record reflects, that Petitioners failed to comply with a number of requirements contained in their SP, with no good cause credibly shown, by continually failing to provide proof of housing and employment searches. See Initial Decision at 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 EA benefits to Petitioner was proper and must stand. Ibid. I agree.

Further, the ALJ found, and the record substantiates, that Petitioners have received in excess of twelve months of EA benefits, and currently do not qualify for any further extension of any kind. See Initial Decision at 5; see also N.J.A.C. 10:90-6.4(a). As to Petitioners exceeding their lifetime limit for EA benefits, the ALJ found that Petitioners had exhausted their 12-month lifetime limit of EA benefits, and provided no evidentiary evidence that they would be eligible for a six-month extreme hardship extension. Ibid. Further, at the time of the hearing, and thereafter, Petitioners presented no documentation that they may be eligible for any additional extension of EA benefits. Ibid. Based on the foregoing, the ALJ concluded that the Agency's termination of EA benefits to Petitioners was proper and must stand. Ibid. I also agree.

Additionally, while the ALJ found that Petitioners have exhausted their lifetime limit of EA benefits, the Initial Decision made no conclusion as to the Agency's imposition of a six-month period of EA ineligibility due to Petitioners' failure to comply with their EA SPs. See Initial Decision at 4-5; see also N.J.A.C. 10:90-6.6(a). Therefore, as I agree with the ALJ's conclusion, that the EA termination was proper, in accordance with regulatory authority set forth at N.J.A.C. 10:90-6.6(a), and that Petitioners received notice that the disqualification may be made due to non-compliance with their SPs, I hereby also affirm the Agency's imposition of a six-month EA ineligibility penalty upon Petitioner. See Exhibit R-10, and N.J.A.C. 10:90-6.6(a). The Initial Decision is modified to reflect this finding.

By way of comment, I have reviewed Petitioners' Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

By way of further comment, as Petitioners have received continued assistance pending the outcome of this fair hearing, the six-month EA ineligibility penalty shall begin to run as of the date of this Final Agency Decision.

Also by way of comment, the Agency shall refer Petitioners to any and all agencies and organizations that may be able to assist with their current needs, including Social Services for the Homeless.

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

Officially approved final version. July 30, 2026

Natasha Johnson
Assistant Commissioner

