



State of New Jersey

MIKIE SHERRILL
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

STEPHEN CHA, MD, MHSR
Commissioner

DR. DALE G. CALDWELL
Lt. Governor

TRENTON, NJ 08625-0716

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 **05205-26 M.M.**

AGENCY DKT. NO. **C194927003 (BURLINGTON COUNTY BD. OF SOC. SVCS)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits, 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 April 7, 2026, a pre-hearing conference was held and Petitioner requested, and was granted, a one-day continuance. On April 8, 2026, the Honorable Susan McCabe, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. Following submissions by both parties, the record closed on April 9, 2026. On April 10, 2026, the ALJ issued an Initial Decision, reversing the Agency's determination.

Exceptions to the Initial Decision were received from Petitioner were received on April 13, 2026. Exceptions to the Initial Decision were received from the Agency on April 14, 2026. Cross-Exceptions were received from Petitioner on April 21, 2026.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I hereby ADOPT the Initial Decision and REVERSE 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. See 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. See 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.*

Here, the ALJ found, and the record substantiates, that Petitioner executed a "Rules and Regulations for Emergency Shelter Placement" on August 21, 2025, which required Petitioner to submit ten housing searches monthly to the Agency. See Initial Decision at 2-3. On November 14, 2025, Petitioner executed an SP, wherein he agreed, among other things, to submit proof of monthly housing searches. See Initial Decision at 3; see also Exhibit R-A, and N.J.A.C. 10:90-6.6(a). Thereafter, the Agency notified Petitioner that his EA benefits would terminate for failure to comply with his SP. *Ibid.*; see also Exhibit R-B. Based on the evidence presented, the ALJ found that Petitioner had not submitted any housing searches to the Agency for February, 2026 or March, 2026. See Initial Decision at 3. The ALJ further found that the Agency had failed to conduct monthly monitoring of Petitioner's SP, as required. *Ibid.* Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits was improper and must not stand. See Initial Decision at 4. I agree, but note the Petitioner was aware of the requirements of his SP and that his failure to comply with such terms is not



excused by any inaction of the Agency. Further, the ALJ ordered that Petitioner is to resume submission of his housing searches to the Agency beginning in May, 2026. I also agree.

By way of comment, Petitioner is advised that any future violation of his SP may result in the termination of EA benefits, and the imposition of a six-month EA ineligibility penalty. See N.J.A.C. 10:90-6.3(c), (e), -6.6(a).

By way of additional comment, based on the information provided in the record, the Agency shall refer Petitioner for a domestic violence assessment in accordance with the Family Violence Option Initiative, if it has not already done so. See N.J.A.C. 10:9-20.1 et. seq.

By way of further comment, I have reviewed the Agency's Exceptions, and find that the arguments made therein do not alter my decision in this matter. I have also reviewed Petitioner's Exceptions, and further find that the arguments made therein do not alter my decision in this matter. I also note, for the benefit of Petitioner, that responses/replies to Exceptions or Cross-Exceptions are not permitted in DFD hearings. See N.J.A.C. 1:10-18.2.

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

Officially approved final version. April 22, 2026

Natasha Johnson
Assistant Commissioner

