



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 **10392-26 N.H.**

AGENCY DKT. NO. **C340036007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner appeals from the Respondent Agency's alleged denial of Emergency Assistance ("EA") benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 1, 2026, the Honorable Sandra L. Lascari, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On July 2, 2026, the ALJ issued an Initial Decision, reversing the Agency's determination.

No Exceptions to the Initial Decision were received.

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 ADOPT the ALJ's Initial Decision, and MODIFY the Agency's determination and REMAND the matter to the Agency for further action, based on the discussion below.

Pursuant to N.J.A.C. 10:90-9.3 (a), an applicant/recipient may request a fair hearing when he/she is adversely affected by an Agency action. N.J.A.C. 10:90-9.3(b) states, "[c]ounty or municipal agency actions which adversely affect an applicant or recipient include any action, inaction, refusal of action, or unduly delayed action with respect to program eligibility, including denial, termination or suspension of benefits, adjustment in the level of benefits or work requirements, or designation of a protective payee."

Here, the record indicates that Petitioner, a Work First New Jersey/General Assistance ("WFNJ/GA") recipient applied for EA benefits on June 26, 2026, and, on that same date, the Agency allegedly denied the application and also notified Petitioner that additional information was necessary to process her application for benefits, and that her application would remain pending until documentation was submitted to the Agency. See Initial Decision at 2-3; see also Exhibit R-1. Subsequently, it was discovered that the denial indicated in the notification was a typographical error and that Petitioner's application for EA benefits, in fact, remained pending. Ibid. The Agency had requested, through the notification, that Petitioner submit proof of property tax, a water bill, and an IRS SS4 form from her landlord, as well as an inspection report, lease, and proof that she had applied for affordable housing. See Initial Decision at 3; see also Exhibit R-1. Although the notification to Petitioner instructed her to submit the documentation to an Agency email address, which she later did, the documentation had not been uploaded into the Agency's "wecare" system, which was accomplished during the hearing in this matter. See Initial Decision at 3; see also Exhibits P-1, P-2, P-3, P-4. Based upon the submission of such documentation during the hearing, the Agency had not yet considered the submitted documentation. See Initial Decision at 3.



Based on the foregoing, the ALJ concluded that the Agency has not yet made a determination as to whether Petitioner is eligible for receipt of EA benefits, as her application remains pending, and must be returned to the Agency for consideration of the documentation submitted. See Initial Decision at 4; see also N.J.A.C. 1:1-3.2(b). I agree, and as such, I direct that the Agency is to review the documentation submitted in order to make an eligibility determination as to Petitioner's EA application. The Agency's June 26, 2026 notification to Petitioner is modified to reflect that there was, in fact, no denial of her EA application, but rather that her application is pending and required the submission of additional documentation.

By way of comment, if, upon review of the documentation submitted by Petitioner, she is found to be ineligible for EA benefits, she is without prejudice to request a separate fair hearing on such denial.

Accordingly, the Initial Decision is hereby ADOPTED, the Agency's determination is MODIFIED and the matter is REMANDED to the Agency for action, as outlined above.

Officially approved final version. July 09, 2026

Natasha Johnson
Assistant Commissioner

