



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT
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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 11586-25 R.M.

AGENCY DKT. NO. C064166012 (MIDDLESEX 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. The matter was initially scheduled for September 18, 2025, but was adjourned. On October 29, 2025, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ") held a plenary hearing, took testimony and admitted documents. The record remained open to allow for the submission of additional evidence until November 10, 2025, which deadline was extended to November 14, 2025, following a request from Petitioner, and the record then closed on that date. On December 4, 2025, 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, I have considered the ALJ's Initial Decision, and 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 record reveals that Petitioner has previously received EA, and in February, 2025, reapplied for EA benefits. See Initial Decision at 2; see also Exhibit R-1. On February 26, 2025, Petitioner executed an EA SP, wherein she agreed, among other things, to conduct weekly housing searches, and to provide the Agency with housing-search logs as proof of such searches, and to participate in and comply with her mental-health treatment program, including submitting documentation of such compliance, and wherein she was advised that failure to comply with her SP could affect her EA benefits eligibility. See Initial Decision at 2-3; see also Exhibits R-2, R-3, and N.J.A.C. 10:90-6.6(a).

On June 3, 2025, Petitioner was advised by the Agency that she had not submitted weekly housing-logs for the week of March 25-31, 2025, nor from April 8, 2025 through May 30, 2025. See Initial Decision at 3. Further, Petitioner had not



provided a letter concerning her mental-health treatment program compliance, and the Agency was informed that her Substance Abuse Initiative/Behavioral Health Initiative ("SAI/BHI") case was closed March 28, 2025, due to her failure to attend the program. Ibid.; see also Exhibits R-11, R-13. Therefore, the Agency notified Petitioner her EA benefits would terminate effective July 3, 2025, and that she would be disqualified from the receipt of EA benefits for six months. See Initial Decision at 3; see also Exhibit R-7. The Agency did provide Petitioner with extended time to attempt to come into compliance with her EA SP, and, following Petitioner informing the Agency that she had been hospitalized, requested discharge paperwork documenting the hospitalization. See Initial Decision at 3; see also Exhibits R-5, R-6, and R-13. Petitioner never produced any requested documentation. See Initial Decision at 3.

Although Petitioner made claims of extenuating circumstances which prevented her from submitting the required housing-search logs, the ALJ found that Petitioner had failed to comply with her SP, by failing to conduct all required housing searches, and to provide proof of same to the Agency, with no good cause credibly shown to corroborate her claims. See Initial Decision at 3-5. Further, the ALJ found that Petitioner acknowledged that she stopped attending and participating in the SAI/BHI program, though Petitioner claimed she left the program due to medical conditions which impaired her memory such that she was unaware she was required to provide proof of her SAI/BHI compliance. See Initial Decision at 3. Petitioner testified that she would have medical documentation provided regarding her mental impairments based on prior health issues, however, no documents were submitted to the tribunal, even after being provided with an extended deadline for submission, which led the ALJ to conclude that Petitioner's testimony was not credible. See Initial Decision at 3-4.

Based on the foregoing, the ALJ concluded that the Agency had met its burden of proving that Petitioner had failed to provide sufficient documentation to establish compliance with Petitioner's EA SP, and as such, the termination of Petitioner's EA benefits was proper and must stand. See Initial Decision at 4-5; see also N.J.A.C. 10:90-6.6(a). I agree. The ALJ further concluded that the Agency's imposition of a six-month EA ineligibility penalty was also proper and must stand. Ibid. I also agree.

By way of comment, as Petitioner has been receiving continued assistance pending the outcome of the fair hearing, the six-month EA ineligibility penalty shall begin to run as of the date of this Final Agency Decision.

By way of further 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. January 20, 2026

Natasha Johnson
Assistant Commissioner

