



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT
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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 17256-25 R.S.

AGENCY DKT. NO. C177924013 (MONMOUTH COUNTY DIV. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits and the Agency's denial of a hardship extension of EA benefits. The Agency terminated Petitioner's EA benefits and denied a hardship extension of said benefits, contending that she had exhausted her lifetime limit of EA benefits and that she 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 December 5, 2025, the Honorable Andrea Spevak, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents, and the record was closed. On December 22, 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, in part, and REVERSE, in part, the Agency's determinations, based on the discussion below.

EA benefits are limited to 12 lifetime cumulative months, see N.J.A.C. 10:90-6.4(a), plus limited extensions for an "extreme hardship" where the recipient has taken "all reasonable steps to resolve the emergent situation but the emergency nonetheless continues or a new emergency occurs, which causes extreme hardship to the family." See N.J.A.C. 10:90-6.4(b). A Work First New Jersey/General Assistance ("WFNJ/GA") recipient may qualify for one six-month EA extension if the Agency determines that a case of extreme hardship exists pursuant to N.J.A.C. 10:90-6.4(b)(1), (2). See N.J.A.C. 10:90-6.4(c). While N.J.A.C. 10:90-6.4(b)(1) lists five eligibility criteria to be considered by the Agency, it should be noted the list is not exhaustive. See DFD Instruction 13-12-02 (clarifying that extensions "may be granted for additional reasons beyond those listed in [the] regulation...only after conferring with DFD"). Thus, the maximum amount of EA benefits that a WFNJ/GA cash recipient may receive is 18 months.

Here, the ALJ found, and the record substantiates, that Petitioner has received her 12-month lifetime limit of EA benefits, and as such, the Agency sent Petitioner a termination notice on September 1, 2025, informing her that her EA benefits would terminate effective September 30, 2025. See Initial Decision at 2; see also Exhibit R-1 and N.J.A.C. 10:90-6.4(a). On September 1, 2025, Petitioner submitted a Hardship Extension application, however, upon review, the Agency determined that she did not meet the criteria for a hardship extension of EA benefits. Ibid.; see also N.J.A.C. 10:90-6.4(a), (b), (c). At the time of the hearing, Petitioner provided testimony that while receiving EA she has sought employment including obtaining her Commercial Driver's License ("CDL") and seeking related employment, however, she has not been successful in obtaining employment. See Initial Decision at 2.



Based on the foregoing, the ALJ concluded that the Agency's termination of EA benefits, based upon her receipt of 12-month lifetime limit of EA benefits was proper, however, the Agency's denial of a hardship extension of EA benefits was improper, as Petitioner has taken all reasonable steps to become employed and resolve her emergent situation, but despite such efforts, she remains in an emergent situation that presents a hardship and that she should be granted an additional six months of EA benefits. See Initial Decision at 3; see also Exhibit R-1 and N.J.A.C. 10:90-6.4(b). I agree.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED, in part, and REVERSED, in part, as outline above.

Officially approved final version. January 08, 2026

Natasha Johnson
Assistant Commissioner

