



## 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 **04027-24 N.D.**

AGENCY DKT. NO. **C127348020 (UNION COUNTY DIVISION 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. On March 28, 2024, the Honorable Patrice E. Hobbs, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On April 1, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were received from Petitioner on April 2, 2024.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and 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 Petitioner had executed an SP, wherein she agreed, among other things, to submit proof of monthly housing searches, remain compliant with Work First New Jersey ("WFNJ") requirements, apply for Section 8 housing, and if denied Supplemental Security Income ("SSI") benefits, to appeal the denial. See Initial Decision at 3; see also Exhibit R-22 – R-26, and N.J.A.C. 10:90-6.6(a). The ALJ also found, and the record reflects, that Petitioner failed to comply with a number of requirements contained in her SP, with no good cause credibly shown, by failing, on several occasions, to provide proof of housing searches, by failing to appeal a denial of SSI, by failing to attend an in-person appointment at the Agency, and by failing to submit other requested documentation. See Initial Decision at 2-4; see also N.J.A.C. 10:90-6.6(a). Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 5; see also Exhibit R-2 – R-6. I agree. The Initial Decision is hereby modified, however, to reflect the correct legal authority in this matter, N.J.A.C. 10:90-6.6(a), and not N.J.A.C. 10:90-6.3(c).



By way of comment, Petitioner is advised that her six-month EA ineligibility penalty shall run from April 1, 2024, through October 1, 2024. See Exhibit R-3.

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 MODIFIED, and the Agency's determination is AFFIRMED, as outlined above.

Officially approved final version. April 4, 2024

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Natasha Johnson  
Assistant Commissioner

