



## State of New Jersey

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*Governor*

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DIVISION OF FAMILY DEVELOPMENT  
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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 **09154-23 D.B.**

AGENCY DKT. NO. **C076507013 (MONMOUTH COUNTY DIV. 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 she had exhausted her lifetime limit of EA benefits, and did not qualify for an extension of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. An emergent telephonic hearing was initially scheduled for September 20, 2023, which was rescheduled to allow Petitioner the opportunity to obtain witnesses and discovery. Thereafter, the emergent status was removed from the case, and another telephonic hearing was scheduled for October 10, 2023, but Petitioner failed to appear. However, Petitioner contacted OAL and explained that she failed to appear due to hospitalization, and the hearing was then rescheduled for October 24, 2023, at which time Petitioner asked to reschedule to allow more time to prepare her case, and the hearing was adjourned for one final time. On November 17, 2023, the Honorable Michael R. Stanzione, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On December 12, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ in this matter issued a very thorough and comprehensive Initial Decision, outlining the procedural history, and providing a detailed and well thought out analysis, applying law to fact. See Initial Decision at 2-7. Specifically, based on the Agency's credible testimony, and substantiating documentation, the ALJ found that Petitioner had received 94 months of EA benefits, and as such, had exhausted her lifetime limit for said benefits. *Id.* at 2, 4, 7; see also "Payment History," and N.J.A.C. 10:90-6.4(a), (b), (c). Additionally, the ALJ found that, after multiple opportunities to do so, Petitioner had failed to provide the documents required to complete her application for an extension of EA benefits pursuant to the Emergency Assistance for Special Groups ("EASG") pilot. See Initial Decision at 4-7; see also "Application Form – EASG Extension for Special Groups," and N.J.S.A. 44:10-51(a) (3). Further, although not a transmitted issue in this matter, the ALJ found that Petitioner was given multiple opportunities to submit the documentation required to obtain the permanent housing offered by the Agency, but failed to do so. See Initial Decision at 2-6. The ALJ also found that Petitioner failed to provide any credible testimony or documentation to substantiate her claims that she had provided all the documents required to determine her eligibility for an EASG extension of EA benefits, or that she had cooperated in obtaining the permanent housing offered. *Id.* at 4-7. Based on the foregoing, the



ALJ concluded that the Agency's termination of EA benefits was proper and must stand. Id. at 7; see also notice form "WFNJ-15/FSP-15," dated August 1, 2023, and N.J.A.C. 10:90-6.4(a), (b), (c). I agree.

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 concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

By way of comment, Petitioner is advised that she may reapply for an EASG extension of EA benefits, with eligibility contingent upon her providing all required documentation to the Agency in a timely manner.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED.

Officially approved final version. January 31, 2024

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Natasha Johnson  
Assistant Commissioner

