



State of New Jersey

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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 **10442-24 J.S.**

AGENCY DKT. NO. **S645341012 (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 he failed to comply with his EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 28, 2024, the Honorable Allison Friedman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On November 12, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, following an independent review of the record, I hereby ADOPT the Initial Decision and AFFIRM Agency's determinations, 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 applied for EA on March 18, 2024, and subsequently had executed two SPs on March 18, 2024, and May 3, 2024, wherein he agreed, among other things, to submit proof of weekly housing searches and weekly prospective employer contacts. See Initial Decision at 2; see also Exhibits R-1, R-2, 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 his SP, with no good cause credibly shown, by continually failing to provide proof of housing and employment searches. See Initial Decision at 3-4; 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 4; see also Exhibit R-7. I agree.

By way of comment, because Petitioner has received continued assistance pending the outcome of this fair hearing, Petitioner is advised that his six-month EA ineligibility penalty shall begin to run as of the date of the issuance 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 his 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. December 26, 2024

Natasha Johnson
Assistant Commissioner

