



## 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 17765-24 A.M.

AGENCY DKT. NO. C041403001 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits, 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 February 24, 2025 the Honorable Gauri Shirali Shah, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On February 28, 2025 the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were received from Petitioner on March 10, 2025.

As Assistant Commissioner, Division of Family Development, Department of Human Services, following an independent review of the record, I hereby MODIFY the Initial Decision and MODIFY 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 benefits on April 29, 2024, was placed on an immediate need basis, and subsequently, on June 24, 2024, executed an SP wherein she agreed, among other things, to meet with her case managers as needed, to submit proof of prospective employment searches, and to submit proof of housing searches. See Initial Decision at 2; see also Exhibits R-7, R-11 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 continually failing to provide proof of housing and employment searches. See Initial Decision at 3; see also Exhibit R-6 see also N.J.A.C. 10:90-6.6(a). Further, on October 22, 2024, the Agency sent Petitioner notice of a shelter placement meeting for October 25, 2024, which Petitioner failed to attend. Id. at 3; see also Exhibits R-4, R-5. Following the missed meeting, the Agency terminated Petitioner's EA benefits for failing to comply with her SP. See Initial Decision at 3. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits was proper and must stand. See Initial Decision at 4. I agree.



In addition, because I agree with the ALJ that Petitioner has violated her SP, without good cause, in accordance with regulatory authority, I hereby impose upon her a six-month period of EA benefits ineligibility pursuant to N.J.A.C. 10:90-6.6(a). Further, because Petitioner has been receiving continued assistance of EA benefits pending the outcome of her appeal, the six-month EA ineligibility penalty shall begin to run as of the date of issuance of this Final Agency Decision. The Initial Decision and Agency's determinations are both modified to reflect these findings.

By way of comment, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

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 MODIFIED, as outlined above.

Officially approved final version. April 16, 2025

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Natasha Johnson  
Assistant Commissioner

