



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
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 **08097-25 A.M.**

AGENCY DKT. NO. **C757296007 (ESSEX COUNTY DIVISION OF WELFARE)**

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 July 14, 2025, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), began a telephonic plenary hearing, took testimony, and admitted documents. At that time, Petitioner represented to the tribunal that he had found an apartment and provided the landlord with paperwork for Temporary Rental Assistance ("TRA"). As a result, the ALJ carried the matter to July 21, 2025, to allow Petitioner the opportunity to provide the Agency with such paperwork for their review. When the hearing resumed on July 21, 2025, Petitioner had not provided the Agency with any paperwork and represented to the tribunal that he had found a different apartment and provided the landlord with TRA paperwork. Based upon this representation, the ALJ adjourned the matter to the following day, and on July 22, 2025, at the resumption of the hearing, Petitioner had failed to provide the Agency with paperwork. The hearing concluded on July 22, 2025, at which time the record was closed. On July 30, 2025, 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 the 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 was placed at a shelter on March 3, 2025, and signed an EA SP on March 19, 2025, wherein he agreed, among other things, to submit employment searches and housing searches weekly, as well as to comply with shelter rules and regulations. See Initial Decision at 2; see also Exhibit R-1 and N.J.A.C. 10:90-6.6(a). On April 1, 2025, Petitioner missed curfew at the shelter, and on the following day he was issued a warning. See Initial Decision at 3; see also Exhibit R-1. Petitioner was additionally issued warnings regarding



the required employment and housing searches, as he had not submitted proof of any searches to the Agency. Ibid. On April 6, 2025, Petitioner missed curfew at the shelter, however, he submitted documentation for that date that he was at the hospital with his minor child. Ibid. Petitioner additionally missed curfew on April 8, 2025. Ibid. The Agency further produced several incident forms from the shelter regarding Petitioner's behavior towards shelter staff. Ibid. Based on the testimonial and documentary evidence presented, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, for failure to comply with the requirements contained in his SP as to the employment and housing searches, with no good cause credibly shown, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 3-5; see also N.J.A.C. 10:90-6.1(c), -6.6(a). I agree. While the ALJ found, in regards to the curfew violations at the shelter, that Petitioner should be provided with the "benefit of the doubt," as his curfew violations were related to the need to care for his minor child, and thus Petitioner had presented good cause as to the reason for said curfew violations, I find it unnecessary to discuss this issue, as Petitioner is now subject to a six-month EA ineligibility penalty due to the violation of his EA SP, as outlined above. See Initial Decision at 3.

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. August 07, 2025

Natasha Johnson
Assistant Commissioner

