



State of New Jersey

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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 12828-25 E.T.

AGENCY DKT. NO. **C149441003 (BURLINGTON 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"), thereby causing his own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 29, 2025, the Honorable Jeffrey N. Rabin, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On October 29, 2025, the ALJ issued an Initial Decision, affirming the Agency's determinations.

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 applied, was approved for EA benefits, and thereafter signed an EA SP. See Initial Decision at 3; see also Exhibit R-1. Petitioner subsequently executed an updated SP and SS-130 form, informing him that he must complete a Substance Abuse Initiative/Behavioral Health Initiative ("SAI/BHI") assessment and follow any recommendations arising from same, on April 14, 2025. Ibid. Petitioner's application for a hardship extension of EA benefits was approved on April 22, 2025. See Exhibit R-1. Petitioner failed, on three separate occasions, to complete the SAI/BHI assessment. See Initial Decision at 3; see also Exhibit R-1. In addition, Petitioner failed to comply with the terms of his SP, as well as the motel rules of his placement, by repeatedly smoking in his hotel room, which caused a health and safety issue, by falsely reporting that he was the victim of a crime, and by walking around public areas of the motel without clothing. Ibid.; see also N.J.A.C. 10:90-6.1(c)(3)(iii), (vi), (ix), -6.6(a).



Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, for failure to comply with the requirements contained in his SP, 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 4; see also N.J.A.C. 10:90-6.1(c), -6.6(a). 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 04, 2025

Natasha Johnson
Assistant Commissioner

