



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **15716-24 M.E.**

AGENCY DKT. NO. **C048582012 (MIDDLESEX COUNTY BD. 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 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 14, 2025, the Honorable Jeffrey N. Rabin, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On February 21, 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 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 May 10, 2024, and subsequently, on that date, as well as on July 29, 2024, executed an SP wherein she agreed, among other things, to meet with her case managers as needed, to provide proof of medical treatment, to submit proof of housing searches, and to provide proof she was current with her 30% rental contribution pursuant to N.J.A.C. 10:90-2.2(a)(5) and N.J.A.C. 10:90-6.6(a). See Initial Decision at 2-3; see also Exhibits R-1, R-2, and R-4. Specifically, Petitioner failed to attend a case review appointment on October 10, 2024. See Initial Decision at 2; see also Exhibit R-5. Following the missed appointment, on October 10, 2024, the Agency sent Petitioner a termination notice providing Petitioner until November 10, 2024, to provide proof of compliance with her SP. See Initial Decision at 3; see also Exhibits R-7, R-8. Petitioner did provide the Agency with her housing search logs, but failed to provide any proof of medical treatment, nor proof of payment of her February 2025 30% rental contribution. See Initial Decision at 3. Based on the foregoing, the ALJ concluded that the Agency had met its burden of proving that Petitioner was not in compliance with her EA SP, and therefore, the termination of her EA benefits was appropriate. See Initial Decision at 4-5; see also N.J.A.C. 10:90-6.6(a). I agree. Further, the ALJ found the Agency's imposition of a six-month period of ineligibility regarding Petitioner's receipt



of EA benefits was also proper, and must be stand. See Initial Decision at 6-7; see also N.J.A.C. 10:90-6.6(a). Again, I agree.

By way of comment, because Petitioner has received continued benefits pending the outcome of this fair hearing, Petitioner is advised that her six-month EA ineligibility penalty shall begin as of the date of 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 her 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. April 02, 2025

Natasha Johnson
Assistant Commissioner

