



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 07301-25 P.D.

AGENCY DKT. NO. C042352018 (SOMERSET COUNTY BOARD 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 had exhausted her lifetime limit of EA benefits, and did not qualify for a further extension of EA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. This matter was initially scheduled for an emergent hearing on May 5, 2025, and on that date, Petitioner requested an adjournment, which was granted. Petitioner further requested the hearing be downgraded to a non-emergent hearing, which request was granted and the matter was rescheduled for June 9, 2025. On June 9, 2025, Petitioner requested an additional adjournment, which was granted. On June 23, 2025, the Honorable Gauri Shirali Shah, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents, and the record was closed. On July 14, 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, I have considered the ALJ's Initial Decision, and following an independent review of the record, I hereby MODIFY the Initial Decision and AFFIRM the Agency's determination, based on the discussion below.

In order to be eligible for Work First New Jersey/General Assistance ("WFNJ/GA") benefits, the total countable income of the unemployable single adult, or couple without dependent children, must be equal to or less than the maximum benefit payment level for the size of the assistance unit as set out in Schedule V at N.J.A.C. 10:90-3.6(a). See N.J.A.C. 10:90-3.1(b)(1). Effective July 1, 2019, the maximum benefit level for an unemployable WFNJ/GA AU, consisting of one person, is \$277 per month. See N.J.A.C. 10:90-3.6(a); see also DFD Informational Transmittal ("IT") No. 19-21.

Only Work First New Jersey and Supplemental Security Income ("SSI") benefits recipients are eligible for EA benefits. See N.J.A.C. 10:90-6.2(a).

Here, the ALJ found, and the record substantiates, that Petitioner has received her lifetime limit of EA benefits, and does not qualify for any further extension of any kind. See Initial Decision at 3-4. From September, 2023 through June, 2025, Petitioner received twenty months of EA benefits. See Initial Decision at 3; see also Exhibits R-1, R-7. Initially, the Agency terminated Petitioner's EA benefits effective April 1, 2025, as she had exceeded the twelve-month lifetime limit for EA, and did not meet the criteria for a further extension of EA benefits. See Initial Decision at 3; see also N.J.A.C. 10:90-6.4(a), (b), (c). Upon review, the Agency determined that Petitioner turned sixty-two years of age on April 1, 2025, which allowed Petitioner to apply for Social Security benefits, which Petitioner did on April 15, 2025. See Initial Decision at 3; see also Exhibit R-2. On April 24, 2025, Petitioner received notification that was eligible for Retirement, Survivors, and Disability



Insurance ("RSDI") benefits. See Initial Decision at 3; see also Exhibit R-4. Based upon this approval, the Agency agreed to pay Petitioner's May 2025 rent directly to her landlord. See Initial Decision at 3; see also Exhibits R-5, R-6. On May 5, 2025, the Agency became aware that Petitioner would not begin to receive her RSDI benefits until May 14, 2025, at which time the Agency extended her EA benefits through June 30, 2025 and notified Petitioner that her EA benefits would end effective that date. See Initial Decision at 3; see also Exhibits R-8a, R-8b, R-10, R-11, and R-12. On June 30, 2025, the Agency also terminated Petitioner's Work First New Jersey/General Assistance ("WFNJ/GA") benefits, due to her receipt of RSDI benefits making her ineligible for receipt of same. See Initial Decision at 3; see also N.J.A.C. 10:90-3.6(a). 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; see also Exhibit R-1, R-8a. While I agree with the ALJ's final conclusion in this matter, the Initial Decision is modified to reflect that Petitioner is receiving RSDI benefits, and not SSI benefits, as stated by the ALJ in the Initial Decision.

By way of 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 AFFIRMED.

Officially approved final version. August 27, 2025

Natasha Johnson
Assistant Commissioner

