



## State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716

SARAH ADELMAN  
*Commissioner*

TAHESHA L. WAY  
*Lt. Governor*

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 12396-25 W.H.

AGENCY DKT. NO. S481555012 (MIDDLESEX 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"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 27, 2025, the Honorable Rebecca C. Lafferty, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On November 17, 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 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, a Supplemental Security Income ("SSI") benefits recipient, applied for EA benefits in April, 2022, at which time he was approved for said benefits, and has continually been receiving since that time. See Initial Decision at 2. Petitioner has participated with the Agency in several case reviews, including a review held on January 29, 2025, at which time he completed an EA SP, wherein he agreed, among other things, to submit proof of housing searches and to provide proof of his payment of his contribution towards the cost of his emergency placement. See Initial Decision at 2; see also Exhibit R-1, and N.J.A.C. 10:90-6.6(a). The record further reflects that Petitioner was provided with an EA Verification List, which was reviewed with him, and provided he must contribute monthly towards his housing costs and complete housing logs. See Initial Decision at 2; see also Exhibit R-2. Petitioner participated in an additional case review on May 9, 2025, and completed an updated SP and EA Verification List. See Initial Decision at 3; see also Exhibits R-4, R-5.



The ALJ found, and the record reflects, that Petitioner failed to comply with a number of requirements contained in his SP, with no good cause credibly shown, by continually failing to provide proof of housing searches beginning in January, 2025, by failing to cooperate with Catholic Charities in attempting to find permanent housing, as well as by failing to provide proof of payment of his shelter contribution. See Initial Decision at 3; see also Exhibit R-7, and N.J.A.C. 10:90-6.6(a). On June 19, 2025, Petitioner was notified of his noncompliance with his SP, and provided thirty days to cure the reasons for his intended termination, which he failed to do. See Initial Decision at 3-4; see also Exhibit R-8. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 6. 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 31, 2025

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Natasha Johnson  
Assistant Commissioner

