



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **05705-26 D.K.**

AGENCY DKT. NO. **C089883003 (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"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 13, 2026, the Honorable Michael R. Stanzione, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On July 24, 2026, 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, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's 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. See 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. See 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.*

Here, based on an independent review of the record, I find that Petitioner's EA benefits were terminated as indicated in the Agency's notification of February 24, 2026, effective March 26, 2026, which stated that Petitioner had not submitted any affordable housing option by October 3, 2025, in violation of his EA SP, which had been signed on September 3, 2025. See Exhibit R-1. Following the testimonial and documentary evidence submitted at the time of the hearing, the ALJ found that Petitioner had no good cause regarding his failure to comply with the terms of his SP. See Initial Decision at 2. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, and the imposition of six-month period of ineligibility for receipt of EA benefits, were proper and must stand. See Initial Decision at 2-4. While I agree with the ALJ's ultimate conclusion in this matter, the ALJ based his conclusion upon the regulatory authority at N.J.A.C. 10:90-6.1(c)(3), related to a client causing their own homelessness without good cause, rather than the proper regulatory authority included within the termination notification at N.J.A.C. 10:90-6.6(a). See Initial Decision at 2-4; see also Exhibit R-1. The Initial Decision is modified to reflect these findings with respect to the applicable legal basis in this matter.



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 additional 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 MODIFIED, and the Agency's determinations are AFFIRMED, as outlined above.

Officially approved final version. September 16, 2026

Natasha Johnson
Assistant Commissioner

