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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 **05303-26 D.S.**

AGENCY DKT. NO. **C073003012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits, as well as the termination of Emergency Assistance ("EA") benefits and the imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's WFNJ/TANF benefits, contending that there was no eligible child in her household. 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 ("OAL") for a hearing. On June 9, 2026, the Honorable Joan M. Burke, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. At the conclusion of the Agency's case presentation, Petitioner requested an adjournment to obtain legal counsel and the assistance of a family member, which adjournment was granted. On July 10, 2026, ALJ Burke resumed the hearing, and, upon conclusion, the record was closed. On July 30, 2026, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were received from Petitioner on August 6, 2026.

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 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, as to the WFNJ/TANF termination, an independent review of the record substantiates, that Petitioner's son, the only eligible child in the household, was believed to no longer be residing with Petitioner at his motel placement. See Initial Decision at 2, 5; see also Exhibit R-A. Further, the child's mother completed her own application for WFNJ/TANF benefits, and during her application interview on November 7, 2025, provided information that she had custody of the minor child, which led to the case being further investigated. Ibid. A Superior Court Order of September 15, 2025, indicates that the minor child resides with his mother and Petitioner testified that his son no longer resides with him. Ibid. Consequently,



because Petitioner no longer had an eligible child in his household, the Agency terminated his WFNJ/TANF benefits, effective November 1, 2026. Ibid. Based on the testimony and documentation submitted, the ALJ concluded that the Agency properly terminated Petitioner's WFNJ/TANF benefits. See Initial Decision at 7-8; see also N.J.A.C. 10:90-2.7(a). I agree and note that, although Petitioner was no longer eligible for receipt of WFNJ/TANF benefits, he could remain eligible for WFNJ/General Assistance ("WFNJ/GA") benefits, as a single adult. See N.J.A.C. 10:90-2.7(b).

As to the termination of EA benefits, the ALJ found, and the record substantiates, that on August 6, 2025, Petitioner applied for an extension of EA benefits pursuant to Emergency Assistance for Specific Groups ("EASG"), which was approved on the same date, and Petitioner executed EA SPs, on August 6, 2025, and on December 15, 2025, wherein he agreed, among other things, to submit proof of weekly housing searches. See Initial Decision at 2-4; see also Exhibits R-3, R-4, R-5, R-7, and N.J.A.C. 10:90-6.6(a). On February 17, 2026, the Agency sent Petitioner a termination notice due to his failure to provide the weekly housing searches. Ibid. Specifically, Petitioner had failed to submit housing searches from August, 2025 through December, 2025, and submitted late housing searches for January, 2026 and February, 2026, to the Agency on March 16, 2026. See Initial Decision at 4-5; see also Exhibit R-11. At the time of the hearing, Petitioner testified that he "had challenges uploading the documents," that he "paid someone to upload the logs for him, but that the person lied to him" and did not submit the logs, and that his sister previously assisted him, but that she was unable to assist as her husband had passed. See Initial Decision at 6-7. As cited within the Initial Decision, a previous hearing with ALJ Lieberman (OAL Docket No. HPW 03394-25) found that the Agency had failed to consider if any mental health barriers would have impacted Petitioner's ability to comply with the terms of his SP, in this matter, the ALJ found that no mental health issues were presented as a barrier, and, Petitioner is complying with mental health treatments. See Initial Decision at 7; see also Exhibits R-1, R-6, R-9.

Accordingly, the ALJ concluded that Petitioner had failed to comply with the requirements contained in his EA SP, with no good cause credibly shown, by continually failing to provide proof of housing searches. See Initial Decision at 7-8; see also N.J.A.C. 10:90-6.6(a). 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. Ibid. I agree.

By way of comment, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determinations are AFFIRMED, as outlined above.

Officially approved final version. September 02, 2026

Natasha Johnson
Assistant Commissioner

