State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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STEPHEN CHA, MD, MHSR
Commissioner

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 **10423-26 J.D.**

AGENCY DKT. NO. **S528811012** (**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 July 31, 2026, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record remained open to allow Petitioner to submit additional documentation and closed on August 12, 2026. On September 2, 2026, 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 ADOPT the Initial Decision and AFFIRM the Agency's determination, 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, the ALJ found, and the record substantiates, that Petitioner executed SPs on November 23, 2025, and March 6, 2026, wherein he agreed, among other things, to submit proof of weekly housing searches. See Initial Decision at 2; see also Exhibits R-1, R-3, and N.J.A.C. 10:90-6.6(a). The March 6, 2026 SP also specifically noted that Petitioner had not submitted housing logs for December, 2025 through February, 2026, which needed to be submitted within ten days of the SP execution. See Initial Decision at 2; see also Exhibit R-3. Additionally, on March 6, 2026, Petitioner was issued an EA Verification List, wherein he agreed, among other things, to submit proof of weekly housing searches, as well as specific documents from landlords. See Initial Decision at 2; see also Exhibit R-4. Petitioner was also referred to Catholic Charities for assistance with housing searches; however, the organization was unsuccessful in reaching Petitioner except for one contact where Petitioner stated he was unable to speak to the organization. See Initial Decision at 3; see also Exhibit R-6.

On May 18, 2026, the Agency notified Petitioner that his EA benefits would terminate, effective June 17, 2026, for failure to comply with his SP, and imposed a six-month period of ineligibility for receipt of EA benefits. See Initial Decision at 3;

see also Exhibit R-9. Following receipt of the termination notice, Petitioner submitted three housing search logs, one each from December, 2025, January 2026, and February 2026. See Initial Decision at 3; see also Exhibit R-10.

At the hearing, Petitioner testified that he believed he had complied with the housing search requirement, and that, after he found an apartment, he ceased searching for housing. See Initial Decision at 3. The Agency representative testified that, after Petitioner reported he had found housing, he was informed he would need to submit two mandatory forms from his landlord for EA benefits to be paid and that Petitioner failed to ever submit such forms to the Agency. See Initial Decision at 3-4.

Based on the foregoing, the ALJ found that Petitioner had not submitted any housing searches or rental options to the Agency for many months, and that those searches which were submitted were after the issuance of the benefits termination notification in this matter. See Initial Decision at 5-6. Further, the ALJ found that Petitioner failed to cooperate with Catholic Charities in their offer to assist with housing searches. Ibid. Based on the facts presented, 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, as Petitioner has received continued assistance pending the outcome of this hearing, Petitioner's six-month EA ineligibility penalty shall begin as of the date of issuance of this Final Agency Decision.

By way of further comment, the documentary record in this matter indicates that Petitioner's Supplemental Security Income ("SSI") case was closed effective June 1, 2026, which would make him ineligible for receipt of EA benefits. See N.J.A.C. 10:90-6.2(a) (stating that only Work First New Jersey cash assistance recipients and SSI benefits recipients are eligible for EA benefits).

By way of final 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 determinates are AFFIRMED, as outlined above.

Officially approved final version. October 07, 2026

Natasha Johnson
Assistant Commissioner