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 **06217-26 N.T.**

AGENCY DKT. NO. **C128787011** (**MERCER COUNTY BOARD 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 Petitioner failed to comply with the terms of his EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. The matter was initially scheduled for June 16, 2026, at which time an adjournment was requested, and granted. On July 15, 2026, the Honorable Allison Friedman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On August 8, 2026, the ALJ issued an Initial Decision, affirming the Agency's determinations.

Exceptions to the Initial Decision were received from Petitioner on August 17, 2026.

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 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, 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 March 26, 2026, effective April 25, 2026, which stated that Petitioner had not submitted any housing searches to the Agency, in violation of his EA SP, which had been signed on January 9, 2026. See Exhibits R-1, R-3. At the time of the hearing, the Agency representative testified that Petitioner failed to complete housing searches, and provide housing search logs, to the Agency from January, 2026 to June, 2026, with the exception of a single housing search during that time. See Initial Decision at 3. 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 submit housing logs in order to comply with the terms of his SP. Ibid. 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 her 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-3. 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 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.

Also by way comment, I have reviewed the Exceptions submitted by Petitioner and find that the arguments made therein do not alter my decision in this matter.

Accordingly, the Initial Decision is hereby MODIFIED, and the Agency's determination is AFFIRMED, as outlined above.

Officially approved final version. September 24, 2026

Natasha Johnson
Assistant Commissioner