



State of New Jersey

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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 **20359-25 R.A.**

AGENCY DKT. NO. **C078186012 (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 March 27, 2026, the Honorable Jeffrey N. Rabin, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. At the conclusion of the hearing, the ALJ provided Petitioner with additional time to submit the required weekly housing search logs, however, Petitioner failed to submit the appropriate missing months of logs, and thereafter the record was closed on April 1, 2026. On April 15, 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, following an independent review of the record, I hereby MODIFY 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 Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") recipient, applied for EA benefits on May 7, 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 payment of his wife's contribution towards the cost of the emergency placement (due to her being a non-EA household member pursuant to applicable citizenship regulations). 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 that he must contribute monthly towards his housing costs and complete housing logs. See Exhibit R-2. Petitioner participated in a case review on October 3, 2025, completed an updated SP, and was provided with an additional EA Verification List,



wherein he again agreed to submit weekly housing search logs, as well as to submit past-due housing search logs from July, 2025 to the present. See Initial Decision at 2; see also Exhibits R-3, R-4. The Agency further provided Petitioner with an Adverse Action notice stating that Petitioner had until November 3, 2025, to provide the outstanding housing logs for September, 2025, and October, 2025, or he would be subject to a termination of EA benefits, effective November 3, 2025. Ibid.

Thereafter, Petitioner failed to submit the housing search logs for September, 2025 and October, 2025. See Initial Decision at 3; see also N.J.A.C. 10:90-2.2(a)(5). Further, Petitioner and his spouse have failed to make their contributory payments to their rent. Ibid.; see also Exhibit R-9, and N.J.A.C. 10:90-6.5(a).

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, as well as by failing to provide proof of payment of the required shelter contribution. See Initial Decision at 3-5; see also Exhibits R-1, R-2, R-3, R-4, R-5, R-6, R-8, and N.J.A.C. 10:90-6.6(a). Petitioner was notified of his noncompliance with his SP, and provided time to cure the reasons for his intended termination, which he failed to do. See Initial Decision at 3-4. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, was proper and must stand. See Initial Decision at 4-5. I agree.

Additionally, a review of the October 3, 2025 termination notice indicates that the imposition of a six-month EA ineligibility penalty, as well as the applicable regulatory citation, N.J.A.C. 10:90-6.6(a). See Exhibit R-5. In addition, the SPs and verification lists include language that put Petitioner on notice regarding the imposition of a six-month period of EA ineligibility for failing to comply with the terms of the SP. See Exhibits R-1, R-2, R-3, R-4. Therefore, as I agree with the ALJ's conclusion, that the EA termination was proper, in accordance with regulatory authority set forth at N.J.A.C. 10:90-6.6(a), and finding that Petitioner received proper notice that the disqualification may be made due to non-compliance with his SP, I hereby also affirm the Agency's imposition of a six-month EA ineligibility penalty upon Petitioner. See Exhibit R-5, and N.J.A.C. 10:90-6.6(a). The Initial Decision is modified to reflect this finding.

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 MODIFIED, and the Agency's determination is AFFIRMED, as outlined above.

Officially approved final version. May 28, 2026

Natasha Johnson
Assistant Commissioner

