



State of New Jersey

MIKIE SHERRILL
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

STEPHEN CHA, MD, MHSR
Commissioner

DR. DALE G. CALDWELL
Lt. Governor

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 **10078-26 R.P.**

AGENCY DKT. NO. **S630904012 (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 the terms of his EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. This matter was initially scheduled for an emergent hearing on April 29, 2026, at which time Petitioner demonstrated good cause after he failed to appear. The hearing was rescheduled for May 19, 2026, at which time Petitioner requested an adjournment, which was granted. The hearing was rescheduled for June 4, 2026, at which time Petitioner failed to appear. On June 25, 2026, the Honorable Mary Ann Bogan, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On June 26, 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, following an independent review of the record, I hereby MODIFY the Initial Decision and MODIFY 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. 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 on October 21, 2025, Petitioner executed an EA SP, wherein he agreed, among other things, to submit proof of weekly housing searches. See Initial Decision at 2; see also Exhibit R-6, and N.J.A.C. 10:90-6.6(a). On March 23, 2026, the Agency sent Petitioner a termination notice due to his failure to provide the weekly housing searches. *Ibid.* At the time of the hearing, Petitioner testified that he had not submitted housing searches from October, 2025 through April, 2026, but claimed that, due to a prior hospitalization (from September 19, 2025 to October 6, 2025) he was too sick to complete his housing searches or attend any EA meetings with the Agency. See Initial Decision at 3. The Agency representative testified that the Agency had provided time for Petitioner to



cure his failure to provide the housing searches, however, Petitioner failed to submit any housing searches after signing his EA SP on October 21, 2025. Ibid.

The ALJ found, and the record reflects, that Petitioner 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 3-4; see also N.J.A.C. 10:90-6.6(a). Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioners' EA benefits, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. Ibid. I agree.

Additionally, it should be noted that due to the various hearing dates which included Petitioner's failure to appear on separate occasions, the Agency stopped providing continued assistance to Petitioner on June 4, 2026. See Initial Decision at 3, n.1. While the ALJ notes in a footnote within the Initial Decision that the six-month EA ineligibility period will end on October 24, 2026, the months of continued assistance which were provided must be considered in such calculation. Id. at 4, n.2. As such, the six-month EA ineligibility penalty in this matter shall begin to run from the date upon which continued assistance ended, June 4, 2026 and end on December 4, 2026. The Initial Decision and the Agency's adverse action in this matter are both modified to reflect the above findings as to the applicable time period of the ineligibility penalty.

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

Officially approved final version. July 15, 2026

Natasha Johnson
Assistant Commissioner

