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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 **17507-25 A.B.**

AGENCY DKT. NO. **S518077012 (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 she had violated her EA service plan ("SP"), as well as violating shelter rules. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 22, 2025, the Honorable Nicole T. Minutoli, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On October 30, 2025 the ALJ issued an Initial Decision, reversing the Agency's determinations.

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 REVERSE the Agency's determination, based on the discussion below.

EA benefits shall not be provided for a period of six months to adult recipients who are terminated from an EA placement when the termination is the result of the recipient's actions, without good cause, which may include, but are not limited to, "[t]hreatening and/or disruptive behavior that affects the operations of the shelter or the safety of other residents." See N.J.A.C. 10:90-6.3(c), (3).

In order to maintain eligibility for EA benefits, the recipient must take reasonable steps to resolve their emergent situation. See N.J.A.C. 10:90-6.6(a). Reasonable steps include, but are not limited to, the recipient participating in the creation of, and complying with, a written and signed service plan. *Ibid.* If a recipient fails to comply with the service plan, without good cause, then the recipient's EA benefits must be terminated, and a six-month period of ineligibility for EA benefits imposed. *Ibid.*

Here, the record reflects that Petitioner applied for EA benefits, was placed at a motel, along with her husband, and signed an EA SP where she agreed, among other things, to comply with all rules and regulations of the EA program and placement, specifically that she would not engage in "threatening and/or disruptive behavior that affects the operations of the shelter/motel or the safety of the other residents or guests". See Initial Decision at 4; see also Exhibits R-1, R-2, R-3, R-4, R-5, R-8 and N.J.A.C. 10:90-6.3(c)(3).

On September 25, 2025, the motel requested that Petitioner be removed following her involvement in an altercation on the motel premises. See Initial Decision at 4; see also Exhibits R-6, R-7, R-12. On September 26, 2025, the Agency issued



a Notice of Termination to Petitioner, indicating that her EA benefits would end effective October 26, 2025. See Initial Decision at 2; see also Exhibit R-9. At the time of the hearing, Petitioner testified as to her involvement in the incident at the motel, noting that neither she, nor her husband, were involved in the partying and/or drinking that was occurring amongst other motel guests, but rather that guests were congregating outside of their door and creating noise which led Petitioner and her husband to call the motel front desk to make a noise complaint. See Initial Decision at 4. Having received no assistance from the motel staff, Petitioner testified that other motel guests began banging on their motel room door which led to her husband opening the door and being confronted by an aggressive individual, which escalated into her husband being beaten and Petitioner intervening to try to stop the fight. Ibid. Petitioner disputed the claims that she had engaged in disruptive and threatening behavior, testifying that other individuals engaged in the behaviors, and the ALJ found that Petitioner's testimony, as well as the documentary and video evidence, were credible that neither Petitioner, nor her husband, engaged in the alleged behaviors, but rather were the victims of such behavior. See Initial Decision at 4.

Based on the foregoing, the ALJ concluded that Petitioner had not violated her EA SP, nor the motel rules, and therefore, the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month period of EA ineligibility, were improper and must be reversed. See Initial Decision at 2-6; see also N.J.A.C. 10:90-6.3(c), -6.6(a). I agree.

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

Officially approved final version. November 19, 2025

Natasha Johnson
Assistant Commissioner

