



## State of New Jersey

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*Governor*

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DIVISION OF FAMILY DEVELOPMENT  
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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 **02459-25 B.O.**

AGENCY DKT. NO. **C241907004 (CAMDEN-CCBSS)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits, 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 February 7, 2025, the Honorable Joan M. Burke, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On February 10, 2025, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the Agency terminated Petitioner's EA benefits, contending that Petitioner had violated the terms of his SP by failing to apply for Supplemental Security Income ("SSI") benefits, and provide proof of same, and for allowing an unauthorized dog to reside in his room housing residence. See Initial Decision at 2-3; see also Exhibit R-1 at 3-9, and N.J.A.C. 10:90-6.6(a). However, the ALJ found, and the record substantiates, that Petitioner had applied for SSI and had provided the Agency with timely proof of same, and that Petitioner's SP does not state that Petitioner is not allowed to have a dog reside with him in his rooming house. See Initial Decision at 2, 5-6; see also Exhibits P-1 through P-7, P-13, R-1 at 3-5, R-2. Moreover, the ALJ found that Petitioner has a permanent disability as documented by an approved MED-1 form, that he had provided paperwork to the Agency reflecting that his dog is a much-needed emotional support animal, and that his dog has lived with him in that rooming house for approximately five years. See Initial Decision at 4-6; see also Exhibits R-1 at 11-16, R-2. Although the record indicates that Petitioner is in the process of being evicted from his rooming house because his dog allegedly bit a resident, and his landlord claims that having said dog is in violation of rooming house rules, the ALJ found that there was insufficient evidence in the record to substantiate that alleged incident or claim. See Initial Decision at 3-4. Moreover, the Agency's adverse action notice does not state a violation of rooming house rules as a basis for its termination, nor did the ALJ render a conclusion on that issue. *Id.* at 6; see also Exhibit R-1 at 6-9, and N.J.A.C. 10:90-6.3(c). Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits was improper and must be reversed. See Initial Decision at 6; see also Exhibit R-1 at 6-9. I agree.

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 concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

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



Officially approved final version. February 20, 2025

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Natasha Johnson  
Assistant Commissioner

