



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT
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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 17988-25 C.F.

AGENCY DKT. NO. C383698007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits, contending that she failed to comply with her EA service plan ("SP") and violated shelter rules. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 22, 2025 the Honorable William J. Courtney, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On October 28, 2025 the ALJ issued an Initial Decision, affirming the Agency's determinations.

Exceptions to the Initial Decision were received from Petitioner's counsel on October 31, 2025.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT 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. 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.

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).

Here, the record reveals that Petitioner applied for, and was granted, EA benefits on October 3, 2025, and was placed at a shelter. See Initial Decision at 2. On October 7, 2025, Petitioner executed an SP, wherein she agreed, among other things, to comply with shelter rules and to not engage in verbal threats against shelter staff. Ibid.; see also Exhibit R-2 and N.J.A.C. 10:90-6.6(a). The SP specifically contained such terms, due to the fact that Petitioner had previously been discharged from two other shelter placements due to verbal threats made to shelter staff. Ibid. Petitioner was advised that violation of the terms of the SP could result in the termination of her EA benefits. Ibid. During October 2025, shelter staff authored three separate incident reports citing to Petitioner cursing at and verbally threatening staff. See Initial Decision at



2-3; see also Exhibit R-2. Petitioner did not dispute the allegations made against her at the time of the hearing, rather she provided testimony that she felt her behavior was justified towards shelter staff and other shelter occupants. See Initial Decision at 3.

On October 15, 2025, the Agency issued an EA termination notice, effective that date, due to Petitioner's failure to comply with her SP, as well as shelter rules, and imposing a six-month period of disqualification for receipt of EA benefits. See Initial Decision at 4; see also Exhibit R-1. The ALJ found, and the record reflects, that Petitioner failed to comply with a number of requirements contained in her SP, with no good cause credibly shown. See Initial Decision at 2-4; see also Exhibits R-1, R-2, and N.J.A.C. 10:90-6.6(a). Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 4; see also Exhibit R-1, and N.J.A.C. 10:90-6.3(c), (3), -6.6(a). I agree.

By way of comment, because Petitioner has been receiving continued assistance of EA benefits pending the outcome of her appeal, the six-month EA ineligibility penalty shall begin to run as of the date of 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.

By way of final comment, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

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

Officially approved final version. November 05, 2025

Natasha Johnson
Assistant Commissioner

