



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **01804-25 E.H.**

AGENCY DKT. NO. **C144356015 (OCEAN COUNTY BOARD 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 was involved in a physical altercation with another motel guest, which required the involvement of law enforcement, thereby causing her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 30, 2025, the Honorable Dean J. Buono, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On June 13, 2025, the ALJ issued an Initial Decision, affirming the Agency's determinations.

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, possessing a weapon or an instrument used as a weapon, or engaging in threatening and/or disruptive behavior that affects the operations of the shelter or the safety of other residents; or violation of the shelter's health and safety policies. See N.J.A.C. 10:90-6.3(c)(1), -6.3(c)(3) and -6.3(c)(5).

Here, Petitioner had been receiving EA benefits and residing in a motel since July 13, 2022, and had signed a shelter agreement, wherein she was informed that her EA benefits would be terminated if she was asked to leave the motel placement due to engaging in threatening or disruptive behavior that affected the operations of the shelter or safety of other residents. See Initial Decision at 4; see also Exhibits R-3, R-4, R-5. On December 23, 2024, Petitioner and another motel resident engaged in a physical and verbal altercation at the motel, where the incident was captured on video, and where law enforcement became involved, and prepared a police report. See Initial Decision at 4; see also Exhibits R-3, R-7. Petitioner's EA benefits were terminated on December 24, 2024, due to her violating the motel's rules, as well as her client agreement with the Agency. See Initial Decision at 4-5; see also Exhibit R-1.

Based on the foregoing, the ALJ concluded that Petitioner had violated the requirements for receipt of EA benefits by engaging in a physical altercation with another motel resident on motel property which caused her own homelessness, and accordingly, concluded that the Agency's termination of EA benefits to Petitioner, and the imposition of a six-month EA ineligibility penalty, were proper, and must stand. See Initial Decision at 5; see also N.J.A.C. 10:90-6.1(c)(3)(vi), (ix), and N.J.A.C. 10:90-6.3(c)(3). 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.

By way of comment, as Petitioner has received continued assistance pending the outcome of this fair hearing, her six-month EA penalty will 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 her current needs, including Social Services for the Homeless.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED.

Officially approved final version. July 18, 2025

Natasha Johnson
Assistant Commissioner

