



## State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716

SARAH ADELMAN  
*Commissioner*

TAHESHA L. WAY  
*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 **18030-24 T.J.**

AGENCY DKT. NO. **C153589003 (BURLINGTON 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 motel policies, resulting in her termination from two motel placements. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 3, 2025, the Honorable Advia Knight Foster, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents, and the record was closed. The record was re-opened for additional submissions on March 7, 2025, and later that same date, the record was closed. On March 26, 2025, the ALJ issued an Initial Decision, affirming the Agency's determinations.

Exceptions to the Initial Decision were received by Petitioner on March 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 determinations, based on the discussion below.

N.J.A.C. 10:90-6.1(c)(3) states, in pertinent part, EA benefits shall not be provided for a period of six months "when an adult EA applicant or recipient has caused his or her own homelessness, without good cause[.]" Specifically, an applicant/recipient is ineligible for EA benefits for a period of six months when the applicant's behavior directly caused the emergent situation. See N.J.A.C.10:90-6.1(c)(3)(vii).

Here, the record reflects that, on August 2, 2024, Petitioner applied for EA, and was denied, and then on August 16, 2024, Petitioner applied for EA, and was placed on an immediate need basis at a motel for thirty days. See Initial Decision at 3. Petitioner signed the "Rules and Regulations for Emergency Shelter Placement," wherein she agreed, among other things, to not allow unauthorized guests in her motel room. See Initial Decision at 3; see also Exhibit E. Petitioner resided at the immediate need hotel from August 16, 2024, to September 15, 2024, at which time she was moved to another motel. See Initial Decision at 3; see also Exhibit G. Petitioner was placed at the new motel on September 17, 2024, and on September 18, 2024, the motel requested a termination of her placement due to her having too many guests. Ibid. Thereafter, Petitioner was moved to another motel from September 18, 2024, to October 17, 2024, a second motel from October 18, 2024 to November 12, 2024, and a third motel from November 13, 2024 to November 26, 2024. See Initial Decision at 3-4. Of note, the two motel changes were based upon a township limitation for motel stays of 28 days and not due to any action of Petitioner. See Initial Decision at 3. On November 26, 2024, the hotel manager sent a request to the Agency to terminate Petitioner's placement due to her moving furniture and placing trash outside of her room. See Initial Decision at 4; see also Exhibit B. Following the receipt of a request to terminate Petitioner's placement from



the motel manager on November 26, 2024, the Agency notified Petitioner on December 2, 2024, that her EA was being terminated and a six-month penalty applied due to her behavior. See Initial Decision at 2; see also Exhibit D, and N.J.A.C. 10:90-6.1(c)(3)(vi).

As to the unauthorized guests at her placement, Petitioner admitted that she did not obtain authorization from the motel manager for visitors to come to her room. See Initial Decision at 4. As to the November 2024 incidents, Petitioner testified that she moved the furniture to clean due to respiratory issues and that she was ill the day the motel manager requested that she move her trash, which led to the trash remaining outside her room as she fell asleep. Ibid.

Based on the foregoing, the ALJ concluded that Petitioner had violated the terms of the “Rules and Regulations for Emergency Shelter Placement,” such that her behavior directly caused her eviction from her housing, and that pursuant to N.J.A.C. 10:90-6.1(c)(3)(vi), she had caused her own homelessness. See Initial Decision at 4. Accordingly, the ALJ 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. Ibid. I agree.

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

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.

Also, by way of comment, as Petitioner has received continued assistance pending the outcome of this fair hearing, Petitioner’s six-month EA penalty shall begin to run as of the date of issuance of this Final Agency Decision.

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

Officially approved final version. May 06, 2025

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Natasha Johnson  
Assistant Commissioner

