



State of New Jersey

MIKIE SHERRILL
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

TRENTON, NJ 08625-0716

STEPHEN CHA, MD, MHSR
Commissioner

DR. DALE G. CALDWELL
Lt. Governor

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 **11533-26 A.P.**

AGENCY DKT. NO. **C178758013 (MONMOUTH COUNTY DIV. 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 due to violation of shelter rules, and refusing an appropriate housing placement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 20, 2026, the Honorable Kathleen M. Calemme, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On July 21, 2026, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

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.

Pursuant to N.J.A.C. 10:90-6.3(a)(1), the "agency shall determine the most appropriate form of emergency housing which is required to address the need and authorize payment of the costs of adequate emergency shelter/housing, taking into consideration individual/family circumstances and services provided." Such emergency housing may include placement in a shelter. 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 reflects that Petitioner applied for EA benefits on October 1, 2025, and was placed at a motel on October 2, 2025. See Initial Decision at 3. On October 8, 2025, Petitioner was relocated to a different motel and signed an EA service plan ("SP"), where she agreed, among other terms, to maintain her mental health services, to search for affordable housing, and to comply with all rules and regulations of her housing placement. Ibid. On March 23, 2026, Petitioner was transferred to a different motel based upon complaints regarding cameras and being watched at her prior placement. Ibid.; see also Exhibit R-1. Petitioner experienced various issues at the placement which led to complaints being made to the motel manager and law enforcement. See Initial Decision at 3. The motel was able to relocate Petitioner to a different room, however, additional issues presented and she further contacted law enforcement. Ibid. At the time of the hearing, the motel manager testified as to various issues with Petitioner including that she would videotape



other guests on her phone, call the police about other guests, and notify code officers about alleged complaints/concerns, none of which were substantiated. Ibid. The motel manager further testified that he attempted to work with the Agency to find solutions to Petitioner's concerns, but was unsuccessful. See Initial Decision at 3-4.

On June 17, 2026, the motel manager emailed the Agency detailing the disruptions caused by Petitioner. See Initial Decision at 4; see also Exhibit R-1. Following the email, the Agency found a housing placement for Petitioner, which was located outside of the county. See Initial Decision at 4. Petitioner testified that she believed she could not leave the county, however, the Agency contacted the county court and confirmed that Petitioner's court-related matter could be transferred to a different county upon proper notice. Ibid.; see also Exhibit R-1. Petitioner refused the out of county placement, and therefore, the Agency terminated her EA benefits. Ibid.; see also N.J.A.C. 10:90-6.3(a)(1).

The ALJ found, and the record substantiates, that Petitioner's EA benefits were terminated for violating shelter rules by engaging in threatening/disruptive actions, on multiple occasions, some of which required involvement of law enforcement, and that Petitioner had refused the placement offered by the Agency. See Initial Decision at 2-5; see also Exhibit R-1. Further, the Agency imposed a six-month EA ineligibility penalty based upon a termination from a shelter placement without good cause. Ibid.

Based on the foregoing, the ALJ concluded that Petitioner had engaged in disruptive behaviors at her EA motel placement, and therefore, the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month period of EA ineligibility, were proper and must stand. See Initial Decision at 5; see also N.J.A.C. 10:90-6.3(c)(3). I agree.

The ALJ notes that mental health may impact Petitioner's ability to be successfully placed, and that she may require additional support and services to avoid homelessness. See Initial Decision at 5. Pursuant to N.J.A.C. 10:90-6.3(i)(1), "[o]n a case-by-case basis and in consultation with DFD, the [six-month EA ineligibility] penalty may also be lifted when deemed appropriate by the county or municipal agency." If the Agency is correct in their confirmation that her court-related matter could be transferred to another county, Petitioner may be considered for a waiver of the six-month period of ineligibility if she is willing to accept an out of county placement and to agree "to additional mental health support to address the recurring problems that prevent placement from being successful." See Initial Decision at 5.

By way of comment, as Petitioner has received continued benefits pending the outcome of this fair hearing, Petitioner's six-month EA ineligibility penalty shall begin to run upon 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, as outlined above.

Officially approved final version. August 04, 2026

Natasha Johnson
Assistant Commissioner

