



## State of New Jersey

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*Lt. Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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STEPHEN CHA, MD, MHSR  
*Commissioner*

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 18528-25 A.P.

AGENCY DKT. NO. C309947020 (UNION COUNTY DIVISION 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 he violated shelter rules, thus causing his own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 16, 2025, the Honorable Andrea Perry Villani, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents, and the record was closed. On December 17, 2025, the ALJ issued an Initial Decision, affirming the Agency's determinations.

No Exceptions to the Initial Decision were filed.

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. 10:90-6.3(e) provides that an EA recipient shall be eligible for continued EA benefits for certain shelter/motel violations, including, but not limited to, absence from a facility, without good cause, for 24 hours or more without prior notification or approval. See N.J.A.C. 10:90-6.3(e)(1)(ii); see also DFD Instruction 08-5-4 at 10. However, an adult EA recipient who incurs two or more terminations for such reasons is subject to the loss of EA benefits for a period of six months. See N.J.A.C. 10:90-6.3(e)(1).

Here, the record reveals that during May, 2025, the Agency placed Petitioner at a shelter, from which he was terminated effective June 20, 2025, due to his being absent from the shelter for five consecutive days. See Initial Decision at 4; see also Exhibit R-3. The Agency then placed Petitioner at a different shelter in August, 2025, from which he was terminated effective August 28, 2025, due to being absent for two consecutive days. See Initial Decision at 4; see also Exhibit R-4. Finally, the Agency placed Petitioner at a third shelter in September, 2025, from which he was terminated effective September 19, 2025, due to his absence from the shelter for two days. See Initial Decision at 4; see also Exhibit R-5. At the time of the hearing, it was determined that Petitioner had entered a short-term residential treatment facility which explained his absence from his shelter placement in August, 2025, however, Petitioner left the treatment facility against medical advice on September 7, 2025. See Initial Decision at 4; see also Exhibit R-6. Petitioner provided no documentary evidence regarding his absences from the other shelter placements and testified that he does not want to be around other people at the shelter due to his mental health issues. See Initial Decision at 4.



Based on the foregoing, the ALJ concluded that Petitioner had violated the requirements for receipt of EA benefits by being absent from several shelter facilities, without good cause, for 24 hours or more, without any prior notification or approval, 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 3, 5; see also Exhibit R-9 and N.J.A.C. 10:90-6.3(e)(1)(ii). I agree.

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. January 29, 2026

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Natasha Johnson  
Assistant Commissioner

