



State of New Jersey

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Commissioner

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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 **05699-26 B.C.**

AGENCY DKT. NO. **C107324015 (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 due to his failure to comply with his EA service plan ("SP") and violation of shelter rules. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 9, 2026, the Honorable Diane Hoagland, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. Thereafter, the record was held open to allow for the submission of a legal brief by Petitioner's counsel and closed on June 16, 2026. On July 7, 2026, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were received from Petitioner on July 20, 2026.

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.

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).

EA benefits recipients are required to develop and sign an SP with the Agency. See N.J.A.C. 10:90-6.6(a). Failure to comply with the requirements identified in the SP, without good cause, shall result in the termination of EA benefits and the imposition of a six-month period of EA ineligibility. Ibid.

Here, the record reflects that Petitioner was approved for temporary shelter on September 3, 2025, at which time he signed a Client Agreement for Temporary Shelter, wherein he agreed, among other things, to comply with his EA service plan ("SP") and to comply with all rules and regulations of his housing placements. See Initial Decision at 2; see also Exhibit R-2. Additionally, the terms of Petitioner's EA SP required that he conduct ten housing searches per week, which were to be submitted to the Agency, and that he apply for public/affordable housing. Ibid.; see also Exhibit R-3.

On February 17, 2026, the Agency was informed by Petitioner's motel placement that they wished to terminate Petitioner's placement due to his threatening and disruptive behavior. See Initial Decision at 2-3; see also Exhibit R-6. On that date, Petitioner was removed from the placement and transported by a Sheriff's officer to a different motel placement. See Initial Decision at 3. On February 28, 2026, Petitioner engaged in threatening and disruptive behavior at the second



motel placement, which led to the involvement of law enforcement and his removal from the motel property. See Initial Decision at 4; see also Exhibits R-4, R-6.

At the time of the hearing, Petitioner testified that he did not apply for any public/affordable housing and that he failed to submit housing search logs, in violation of his EA SP. See Initial Decision at 3; see also Exhibit R-3.

The ALJ found, and the record substantiates, that Petitioner's EA benefits were terminated for violating shelter rules by engaging in threatening/disruptive actions at two separate EA placements, without good cause, resulting in the Agency imposing a six-month EA ineligibility penalty upon Petitioner. See Initial Decision at 2-4; see also Exhibits R-1, R-4, R-6, R-7 and N.J.A.C. 10:90-6.3(c)(3). Based on the foregoing, the ALJ concluded that Petitioner had engaged in disruptive behaviors at two separate EA housing placements, without good cause, and as such, that the Agency had met its burden of 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 4; see also Exhibits R-1, and N.J.A.C. 10:90-6.3(c)(3). I agree. The Agency's adverse action notice is modified, however, to reflect that in cases such as this, involving motel/shelter rule violations for threatening/disruptive behavior, the applicable legal basis is N.J.A.C. 10:90-6.3(c)(3), not causing one's homelessness under N.J.A.C. 10:90-6.1(c)(3). See Exhibit R-1.

Additionally, the ALJ in this matter found that Petitioner had failed to comply with the terms of his EA SP when he failed to apply for subsidized housing and to submit the required housing searches. See Initial Decision at 4; see also N.J.A.C. 10:90-6.6(a). I also agree.

By way of comment, I have reviewed the Exceptions submitted by Petitioner and find that the arguments made therein due not alter my decision in this matter.

By way of further comment, as Petitioner has received continued benefits pending the fair hearing, Petitioner's six-month EA ineligibility penalty shall begin to run upon issuance of this Final Agency Decision.

Also by way of 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.

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

Officially approved final version. August 11, 2026

Natasha Johnson
Assistant Commissioner

