



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT
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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 **11136-26 C.C.**

AGENCY DKT. NO. **S414488010 (HUNTERDON 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 rules on several occasions, and the terms of her EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 15, 2026, the Honorable Deirdre Hartman-Zohlman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On July 15, 2026, the ALJ issued an Initial Decision, affirming the Agency's determinations.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, following an independent review of the record, I hereby ADOPT the Initial Decision and MODIFY the Agency's determinations, 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); see also DFD Instruction ("DFDI") No. 21-02-03. However, N.J.A.C. 10:90-6.3(e) provides that an EA benefits recipient shall be eligible for continued EA benefits for other, less severe, minor violations of a facility's policies, such as visitation or curfew. See N.J.A.C. 10:90-6.3(e); see also DFDI No. 08-05-04 at 10. An adult EA benefits recipient who incurs two or more terminations for such less severe violations 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 reflects that Petitioner applied for EA benefits on March 28, 2025, was approved for such benefits and executed an EA SP on February 20, 2026. See Initial Decision at 4; see also Exhibits R-1, R-2. When Petitioner executed her SP, she was advised that failure to comply with her EA SP, which included compliance with shelter placement rules, could affect her EA benefits eligibility. Ibid. On or about October 25, 2025, an attorney for Petitioner's landlord issued a Notice to Cease alleging that Petitioner violated the terms of her lease including outlining ongoing violations such as "excessive noise and disturbances at all hours of the night and early morning," "tampering with or removing security equipment," "harassment, yelling, or disorderly behavior in common or outdoor areas of the property," and "comments or actions that may be perceived as threatening, intimidating, or discriminatory towards other residents." See Initial Decision at 4; see also Exhibit R-3. Thereafter, on or about January 12, 2026, the landlord's attorney sent Petitioner a Notice to



Quit and Demand for Possession. Ibid. The Notice to Quit was thereafter sent to the Agency on or about January 22, 2026. Ibid. The Agency relocated Petitioner to a motel placement, and in March, 2026, was informed by the motel that Petitioner needed to be removed for causing issues at the motel property. See Initial Decision at 4; see also Exhibit R-4. The Agency relocated Petitioner to a second motel placement, and in April, 2026, the motel removed Petitioner as she was “involved in an incident that ended up having two individuals stabbed by another guest.” See Initial Decision at 4; see also Exhibit R-5. On April 20, 2026, the Agency issued a 30-day termination notice informing Petitioner her EA benefits would terminate due to violations of her SP and shelter rules, and that the Agency sought to impose a six-month EA ineligibility penalty. See Initial Decision at 4; see also Exhibit R-7.

The ALJ found, and the record reflects, that Petitioner violated motel/shelter rules on multiple occasions, with no good cause shown. See Initial Decision at 3-4; see also N.J.A.C. 10:90-6.3(e). Based on the foregoing, the ALJ concluded that the Agency’s termination of Petitioner’s EA benefits, by violating motel rules on multiple occasions, with no good cause credibly shown, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 3, 5; see also N.J.A.C. 10:90-6.3(e). I agree. I note that in instances such as this, where the basis for the termination of Petitioner’s EA benefits was violations of motel/shelter rules, it is the number and type of motel/shelter rule violation(s) which are controlling, and not a violation of Petitioner’s SP. See N.J.A.C. 10:90-6.3(c) versus N.J.A.C. 10:90-6.3(e). The Agency’s determination is modified to reflect this finding with respect to the applicable legal basis for the issue presented in this matter.

By way of comment, Petitioner is advised that her six-month EA ineligibility penalty shall run from May 20, 2026, the effective date of the EA termination, through October 20, 2026. See Exhibit R-7.

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

Officially approved final version. July 21, 2026

Natasha Johnson
Assistant Commissioner

