



State of New Jersey

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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 **00299-26 C.M.**

AGENCY DKT. NO. **C862048007 (ESSEX COUNTY DIVISION OF WELFARE)**

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 violated shelter rules, thereby causing her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 17, 2026, the Honorable Susana E. Guerrero, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On February 18, 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, I have considered the ALJ's Initial Decision, and following an independent review of the record, I hereby ADOPT the ALJ's Initial Decision, and AFFIRM 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, possessing a weapon or an instrument used as a weapon, or engaging in threatening and/or disruptive behavior that affects the operations of the shelter or the safety of other residents; or violation of the shelter's health and safety policies. See N.J.A.C. 10:90-6.3(c)(1), -6.3(c)(3) and -6.3(c)(5).

Here, the record reveals that Petitioner was receiving EA benefits and being housed in a shelter when, on November 18, 2025, Petitioner was involved in an altercation at the shelter with another resident, and that, following the physical altercation, Petitioner produced a knife and threatened the other resident, which resulted in law enforcement being dispatched to the shelter. See Initial Decision at 2. Thereafter, the Agency terminated Petitioner's EA benefits on November 19, 2025, and issued a six-month ineligibility penalty for receipt of EA benefits. *Ibid.*; see also Exhibit R-1, and N.J.A.C. 10:90-6.3(c)(3). Based upon the testimonial and documentary evidence presented, the ALJ found that Petitioner violated the shelter's rules and regulations which prohibited fighting and threatening of other shelter residents, as well as the possession of weapons. See Initial Decision at 2 and N.J.A.C. 10:90-6.3(c)(3).

Based on the foregoing, the ALJ concluded that Petitioner had violated the rules of her shelter placement by engaging in a physical altercation with another shelter resident and the use of a knife on shelter property which caused her to be removed from the shelter, thus causing her own homelessness, and accordingly, concluded that the termination of



Petitioner's EA benefits, 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-1, and N.J.A.C. 10:90-6.3(c)(3). I agree.

By way of comment, Petitioner's six-month EA ineligibility penalty shall run from November 18, 2025, the date of the Agency's EA benefits termination, through May 18, 2026. See Exhibit R-1.

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. April 09, 2026

Natasha Johnson
Assistant Commissioner

