



## State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716

SARAH ADELMAN  
*Commissioner*

SHEILA Y. OLIVER  
*Lt. Governor*

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 **00705-23 L.J.**

AGENCY DKT. NO. **C087569018 (SOMERSET 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. The Agency terminated Petitioner's EA benefits, and imposed a six-month EA ineligibility penalty, contending that he violated shelter rules. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 26, 2023, the Honorable Kim C. Belin, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On January 27, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found, and the record substantiates, that Petitioner had been terminated from two motel placements for violating shelter rules by engaging in threatening/disruptive actions and behaviors which resulted in police involvement. See Initial Decision at 2-4; see also Exhibits R-2 through R-4. The record indicates that Petitioner did not dispute said motel violation allegations. See Initial Decision at 4. Of note, the record reflects that Petitioner may have a substance abuse issue, and as such, the Agency offered Petitioner assistance through its Substance Abuse Initiative, but Petitioner refused assistance. *Ibid.*; see also Exhibits R-4, R-5. Based on the foregoing, the ALJ determined that the Agency's 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 5-6; see also Exhibit R-1, and N.J.A.C. 10:90-6.3(c)(3). I agree.

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 concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

By way of comment, Petitioner is advised that his six-month EA ineligibility penalty shall run from September 16, 2022, the effective date of the Agency's termination, through March 15, 2023. 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 his current needs, including Social Services for the Homeless.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED.



Officially approved final version. February 7, 2023

---

Natasha Johnson  
Assistant Commissioner

