



## State of New Jersey

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*Governor*

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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 **12714-24 J.H.**

AGENCY DKT. NO. **C258081020 (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 she violated shelter rules. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 17, 2024, the Honorable Matthew G. Miller, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record remained open through September 19, 2024, to allow for the submission of additional documentation and argument, and then closed on that date.

On September 26, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ in this matter issued a very thorough and comprehensive Initial Decision, outlining the procedural history, providing a detailed factual timeline, and rendering a well thought out analysis, applying law to fact. See Initial Decision at 2-14. Specifically, the ALJ found, and Petitioner admitted, that she had been terminated from three separate shelter placements for violating the shelters' rules by engaging in threatening, disruptive, aggressive and destructive behaviors. See Initial Decision at 3, 5-7, 13-14; see also Exhibit R-A at 12-14, and N.J.A.C. 10:90-6.3(c)(2), (3). Further, the ALJ found, and Petitioner admitted, that following her last shelter termination, she refused another shelter placement offered by the Agency. See Initial Decision at 4-5, 7, 13; see also Exhibit R-A at 11. Although Petitioner claimed that such behaviors were due to her mental health issues, which she is working on, and that such behaviors would not happen again, the ALJ found that Petitioner had failed to provide any substantiating documentation to prove that such mental health issues inhibited her capacity to follow shelter rules. See Initial Decision at 7, 12-14. Additionally, the ALJ found that Petitioner failed to provide any good cause reason for refusing the Agency offered shelter placement. See Initial Decision at 7-8, 11-12. Based on the foregoing, the ALJ concluded 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 12; see also Exhibit R-1 at 2-3, and N.J.A.C. 10:90-6.3(c)(2), (3). I agree.

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 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 her six-month EA ineligibility penalty shall run from August 15, 2024, the effective date of the Agency's termination, through February 15, 2025. See Exhibit R-A at 3, 5.



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. November 13, 2024

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Natasha Johnson  
Assistant Commissioner

