



## 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 **04543-22 K.S.**

AGENCY DKT. NO. **C402092020 (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, resulting in her termination from multiple shelter placements. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 24, 2022, and continuing on June 27, and June 29, 2022, the Honorable Margaret M. Monaco, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On July 15, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found, and the record substantiates, that Petitioner had violated shelter rules by engaging in continued disruptive and destructive behaviors at multiple shelter placements, as well as the continued violation of the various shelters' health and safety rules. See Initial Decision at 4-9; see also Exhibit R-1 at 1-5, 25-34, 40-46, 52-62, and N.J.A.C. 10:90-6.3(c)(2), (3), (5). Specifically, the ALJ found that the shelter managers' credible testimony and first-hand observations substantiated said shelter rule violations by Petitioner. See Initial Decision at 2-3. Although Petitioner disputed the shelter managers' contentions, the ALJ found Petitioner's testimony inconsistent with the facts and physical evidence found at the motel, and therefore, not credible. See Initial Decision at 2-3. The ALJ further found that Petitioner had been advised of the shelter rules of each shelter placement, and had been warned after her first shelter termination that any further shelter rule violations may result in a termination of her EA benefits for a period of six months. *Id.* at 4-8; see also Exhibit R-1 at 6-24, 47-48, 50-51. Based on the foregoing, the ALJ concluded that Petitioner had violated shelter rules at the various shelter placements, which resulted in her termination from those shelter placements, and on those bases, affirmed the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month EA ineligibility penalty. See Initial Decision at 9-12; see also N.J.A.C. 10:90-6.3(c)(2), (3), (5). I agree.

Exceptions to the Initial Decision were filed by Petitioner on July 18, and July 19, 2022.



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, because Petitioner has received continued assistance pending the outcome of this fair hearing, the six-month EA penalty will begin to run as of the date of the issuance of this Final Agency Decision.

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.

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

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

Officially approved final version.

August 30, 2022

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Natasha Johnson  
Assistant Commissioner

