



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **15488-25 A.F.**

AGENCY DKT. NO. **C736052007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner appeals from the Respondent Agency's termination of her shelter placement and the imposition of a six-month period of ineligibility for Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's shelter placement, and imposed a six-month EA ineligibility penalty, contending that she was involved in a physical altercation with another shelter resident, which required the involvement of law enforcement, thereby causing her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 9, 2025, the Honorable Matthew G. Miller, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record was then held open for the submission of video evidence and closed on September 15, 2026. On September 16, 2025, the ALJ issued an Initial Decision, affirming the Agency's determinations.

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).

The ALJ in this matter issued a very thorough and comprehensive Initial Decision, providing a detailed and well thought out analysis, applying law to fact. See Initial Decision at 2-16. The record reveals that Petitioner applied for Work First New Jersey/General Assistance ("WFNJ/GA") and EA benefits on August 5, 2025, and, while her applications were pending, was placed on an immediate need basis at a shelter beginning August 14, 2025. See Initial Decision at 3; see also N.J.A.C. 10:90-1.3. On September 2, 2025, Petitioner was involved in a violent altercation at the shelter and was removed following a request from the shelter to the Agency. See Initial Decision at 3. Thereafter, the Agency terminated Petitioner's shelter placement, denied her application for EA benefits, and issued a six-month ineligibility penalty for receipt of EA benefits. *Ibid.*; see also Exhibits R-4, R-5 and N.J.A.C. 10:90-6.3(c)(3). The altercation between Petitioner and the other shelter residents was testified to, at length, at the time of the hearing, and was entered into the record via video recording and an incident report prepared by the shelter manager. See Initial Decision at 4-7; see also Exhibits P-1, R-3. Based upon the testimonial and documentary evidence presented, the ALJ found that Petitioner was an aggressor in the September 2, 2025 violent altercation at the shelter which resulted in a physical altercation as well as property damage to the shelter. See Initial Decision at 14; see also Exhibit R-3, 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 on shelter property which caused her to be removed from the shelter, thus causing own homelessness, and accordingly, concluded that the termination of shelter placement and the imposition



of a six-month EA ineligibility penalty, were proper, and must stand. See Initial Decision at 15-16; see also Exhibits P-1, R-3, R-4, R-5, and N.J.A.C. 10:90-6.3(c)(3). I agree.

Exceptions to the Initial Decision were received from the Agency on September 24, 2025, solely regarding a typographical error as to the dates of the six-month EA ineligibility penalty, which inadvertently referenced an end date during 2025.

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, and for the sake of clarity, and based upon the Exception filed which further included incorrect dates, Petitioner shall be ineligible to receive EA benefits from September 2, 2025, through March 2, 2026. See Exhibit R-4.

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.

Officially approved final version. September 26, 2025

Natasha Johnson
Assistant Commissioner

