



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
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 12177-25 A.W.

AGENCY DKT. NO. S537397012 (MIDDLESEX COUNTY BD. 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 had violated motel policy, resulting in his termination from his shelter placement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 22, 2025, the Honorable Nicole T. Minutoli, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On October 24, 2025, the ALJ issued an Initial Decision, affirming the Agency's determinations.

Exceptions to the Initial Decision were filed by Petitioner on October 31, 2025.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, 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, "Violation of health and safety policies, including, but not limited to...the use of hotplates or other cooking devices in the room." See N.J.A.C. 10:90-6.3(c)(5); see also DFD Instruction ("DFDI") No. 22-06-02.

Here, the record reflects that, on January 15, 2025, Petitioner applied, and was later approved, for EA benefits and provided with placement at a motel. See Initial Decision at 3. On that same day, Petitioner executed an EA service plan ("SP"), wherein he agreed, among other things, to comply with motel rules, specifically that he would not use hotplates or other cooking devices in his motel room. See Initial Decision at 3; see also Exhibit R-1 and N.J.A.C. 10:90-6.3(c)(5), -6.6. Petitioner executed an additional SP on April 21, 2025. See Initial Decision at 4; see also Exhibit R-2. On June 24, 2025, the Agency received a complaint from the motel management, reporting that he was using cooking devices within his motel room which had caused electrical circuit issues, as well as set off the smoke alarm. See Initial Decision at 4; see also Exhibits R-5, R-12. On June 25, 2025, an Agency investigator visited the motel and was given access to the room, where he observed a two-burner hot plate cooking device, with a frying pan on top of it, in the Petitioner's motel room. See Initial Decision at 4; see also Exhibits R-6, R-7. At the time of his visit to the motel room, the Agency investigator additionally observed a dog housed in the motel room, which was a breach of Petitioner's SP. Ibid. Petitioner did not refute said violation allegations with the exception of claiming his dog was an emotional-support dog. See Initial Decision at 4; see also Exhibit R-11. On June 26, 2025, Petitioner was sent a Notice of Termination of EA benefits. See Initial Decision at 4; see also Exhibit R-8.



The ALJ found, and the testimony and record provided substantiates, that Petitioner had violated motel rules, and his SP, by possessing a cooking implement within the room, without good cause, and by having an unauthorized animal residing in the room. See Initial Decision at 2, 4-5; see also Exhibits R-1, R-2, R-5, R-6, R-7, R-8, and N.J.A.C. 10:90-6.3(c) (3)(5). Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month period of ineligibility for EA benefits, was proper and must stand. See Initial Decision at 5. I agree.

By way of 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.

By way of further comment, I have reviewed Petitioner's Exceptions, and I find that the arguments therein do not alter my decision in this matter.

Also, by way of comment, as Petitioner has received continued assistance pending the outcome of this fair hearing, Petitioner's six-month EA penalty shall begin to run as of the date of issuance of this Final Agency Decision.

Finally, by way of comment, the transmittal in this matter reflects a contested issue pertaining to a termination of Work First New Jersey/General Assistance ("WFNJ/GA") benefits, which was not addressed in the Initial Decision. Therefore, if Petitioner still has an issue pertaining to a termination of WFNJ/GA benefits, he may request another fair hearing on that issue alone.

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

Officially approved final version. December 18, 2025

Natasha Johnson
Assistant Commissioner

