



State of New Jersey

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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 **14906-25 C.D.**

AGENCY DKT. NO. **C079650008 (GLOUCESTER COUNTY DIV. 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 failed to comply with the terms of her service plan ("SP") and refused shelter placement, thereby causing her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 10, 2025, the Honorable Robert D. Herman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On October 28, 2025, the ALJ issued an Initial Decision, reversing the Agency's termination of EA benefits to Petitioner, and reversing the imposition of a six-month EA ineligibility penalty.

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 2-12. Here, the record reflects that Petitioner executed an SP on June 27, 2025, wherein she agreed, among other things, to participate in a drug treatment program and to follow the rules of her shelter placement. See Initial Decision at 2. During early August 2025, Petitioner brought alcohol into her shelter placement, which was a violation of the shelter rules, and which the shelter informed the Agency required an automatic dismissal, and thereafter the shelter terminated Petitioner's residency. See Initial Decision at 3. Following the termination, Petitioner requested continued assistance pending her fair hearing, and the Agency offered placement at a different shelter, which Petitioner refused. Ibid. The Agency then sought to impose a six-month ineligibility period for EA benefits, based upon both the failure of Petitioner to comply with the terms of her SP, as well as her refusal of a shelter placement. Ibid.

Based upon the testimonial and documentary evidence presented, the ALJ found that Petitioner admitted she brought a prohibited item into the shelter but that the Agency had failed to consult with Petitioner's Substance Abuse Initiative ("SAI") coordinator as required by N.J.A.C. 10:90-6.3(c)(4). See Initial Decision at 10-11. I agree.

Additionally, the ALJ also found that Petitioner had good cause for refusing the shelter offered by the Agency, due to its location. Ibid. Accordingly, the ALJ concluded that Petitioner's termination of EA benefits to Petitioner was improper and must not stand, and reversed the Agency's imposition of a six-month EA ineligibility penalty. See Initial Decision at 11; see also N.J.A.C. 10:90-6.1(c)(3)(vi). I also 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 any future violation of motel/shelter rules, or violation of her SP, may result in the termination of EA benefits, and the imposition of a six-month EA ineligibility penalty. See N.J.A.C. 10:90-6.3(c), (e), -6.6(a).

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

Officially approved final version. December 04, 2025

Natasha Johnson
Assistant Commissioner

