



State of New Jersey

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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 **12009-25 C.L.**

AGENCY DKT. NO. **C070035008 (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 he had violated his EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 15, 2025, the Honorable Rebecca C. Lafferty, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On August 27, 2025 the ALJ issued an Initial Decision, reversing the Agency's determinations.

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 hereby ADOPT the Initial Decision, and REVERSE the Agency's determination, based on the discussion below.

The purpose of EA is to meet the emergent needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work activities without disruption and continue on a path to self-sufficiency. N.J.A.C. 10:90-6.1(a). In order to maintain eligibility for EA benefits, the recipient must take reasonable steps to resolve his emergent situation. N.J.A.C. 10:90-6.6(a). Reasonable steps include, but are not limited to, the recipient participating in the creation of and complying with a written and signed service plan. Ibid. If a recipient fails to comply with the service plan, without good cause, then the recipient's EA benefits must be terminated for a period of six months. Ibid.

Here, the record reflects that Petitioner applied for EA benefits, and signed an EA SP, wherein he agreed, among other things, to comply with all rules and regulations of his shelter placement. See Initial Decision at 2-3; see also Exhibit R-1 at 9-15, 22, 25-26. Petitioner was placed at a shelter, where he had previously been housed, and received a copy of the Shelter's Intake Packet, which he acknowledged via initialing all pages and signing. See Initial Decision at 3; see also Exhibit R-2. The packet included terms that any violence or any threats of violence would not be tolerated, and that anyone threatening the well-being of another (staff or client) would be discharged immediately. Ibid.

On June 25, 2025, a shelter staff member exited the shelter building and witnessed Petitioner with a guest. See Initial Decision at 3. The guest's vehicle was blocking the staff member's vehicle from exiting her parking spot. Ibid. The staff member testified that the vehicle, with Petitioner as a passenger, followed her vehicle out of the parking area and that the vehicle inhabitants were taking photographs of her vehicle. Ibid. Further, she testified that when both vehicles stopped at a traffic light, that the female driver yelled inappropriate comments to her and threatened that shelter clients were going to fight the staff member. Ibid. At that time, Petitioner had exited the vehicle and laughed, however, he did not make



any verbal threats of violence to the staff member or commit any physical act of violence against the staff member. Ibid. Petitioner, having already exited the vehicle, walked away. Ibid. On the same date, the Agency received a Vendor Early Termination Form from the shelter and, based upon the information contained therein, issued a notification on June 26, 2025, to Petitioner terminating his EA benefits and imposing a six-month penalty for noncompliance with his EA SP. See Initial Decision at 3-4; see also Exhibit R-1 at 2-3, 22-24.

Petitioner disputed the claims that he had engaged in disruptive and threatening behavior, testifying that another individual engaged in the behaviors, and the ALJ found that Petitioner's testimony, as well as the staff member's testimony, were credible that Petitioner himself did not engage in the alleged behaviors. See Initial Decision at 4-6.

Based on the foregoing, the ALJ concluded that Petitioner had not violated his EA SP, and therefore, the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month period of EA ineligibility, were improper and must be reversed. See Initial Decision at 5-6; see also N.J.A.C. 10:90-6.6(a). I agree.

By way of comment, and in alignment with the Initial Decision, the impact of the experience upon the staff member should not be minimized, and under the particular circumstances of this matter, the Agency shall strongly consider placing Petitioner at a different placement in order to minimize contact between Petitioner and the shelter staff member which may have been impacted by the prior interaction of June 25, 2025. See Initial Decision at 6.

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

Officially approved final version. September 18, 2025

Natasha Johnson
Assistant Commissioner

