



## 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 16285-25 D.C.

AGENCY DKT. NO. C082319018 (SOMERSET COUNTY BOARD 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 penalty, contending that he abandoned his shelter placement, thereby causing his own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 3, 2025, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On November 17, 2025 the ALJ issued an Initial Decision, reversing the Agency's determination.

Here, Petitioner was placed at a shelter in July, 2025, and, at some point on September 3, 2025, left the shelter and did not return until either the following day or September 5, 2025. See Initial Decision at 2-3. The Agency representative testified that leaving the facility for a day, or two, is a violation of the EA service plan ("SP") and shelter rules and therefore, Petitioner caused his own homelessness when he left the shelter placement. Ibid; see also Exhibit R-2. The shelter program manager further provided testimony that Petitioner failed to "sign out" when leaving the shelter on September 3, 2025. See Initial Decision at 3. On September 9, 2025, Petitioner was served with a notice of termination based upon the abandonment of his shelter placement. See Initial Decision at 3.

Based on the testimonial and documentary evidence presented at the time of the hearing, the ALJ found that neither the SP, nor the "Statement of Obligation of Clients Placed in Motels or Shelter," mentioned any rules regarding the process for signing in to or out of the shelter. See Initial Decision at 2-3; see also Exhibit R-2. Further, the ALJ found that it is difficult to conclude that Petitioner abandoned his shelter placement when he returned the following day and the shelter program director was aware that he had left for the previous day. Ibid. Accordingly, the ALJ concluded that the Agency had failed to prove, by a preponderance of the evidence, that Petitioner had abandoned his shelter placement without good cause. See Initial Decision at 4. 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 improper and must be reversed. Ibid. Under the particular circumstances in this matter, I 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.

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



Officially approved final version. December 31, 2025

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Natasha Johnson  
Assistant Commissioner

