



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 **05068-25 E.B.**

AGENCY DKT. NO. **S661841012 (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 rules. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 23, 2025, a pre-hearing conference was conducted, at which time the Agency requested an adjournment due to the unavailability of a witness. The adjournment was granted and the matter rescheduled for June 17, 2025. On June 16, 2025, Petitioner requested an adjournment, which was granted, and the matter was rescheduled for July 1, 2025. On July 1, 2025 the Honorable Claudia Marchese, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On July 21, 2025 the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), 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 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 February 13, 2025, Petitioner applied, and was approved, for EA benefits and provided with housing at a motel. See Initial Decision at 3; see also Exhibit R-1. 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-2 and N.J.A.C. 10:90-6.3(c)(5), -6.6. On April 28, 2025, the motel manager contacted the Agency to advise of concerns with Petitioner regarding the cleanliness of his room as excessive trash and unsanitary conditions had been observed and were inhibiting the ability of motel housekeeping to service the room. See Initial Decision at 3; see also Exhibits R-8, R-10. Hotel management had attempted to discuss the issues with Petitioner but were unsuccessful and therefore seeking assistance from the Agency. *Ibid.* On May 13, 2025, an Agency investigator visited the motel and was given access to the room by the housekeeping supervisor. See Initial Decision at 3. The Agency investigator observed garbage throughout the room, which including packaging and remnants of food products, as well a single-burner electric grill and an electric George



Forman grill. See Initial Decision at 4; see also Exhibit R-9. At the hearing, Petitioner testified that he used the grill as a heating implement for his motel room. See Initial Decision at 4.

The ALJ found, and the testimony and record provided substantiates, that Petitioner had violated motel rules by possessing cooking implements within the room, without good cause. See Initial Decision at 4; see also Exhibits R-2, R-8, R-9, R-10, 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 4. 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, 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.

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

Officially approved final version. August 20, 2025

Natasha Johnson
Assistant Commissioner

