



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 **04556-24 D.C.**

AGENCY DKT. NO. **S548144012 (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 failed to comply with his EA service plan ("SP,") by failing to pay his 30 percent share of his rent. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 9, 2024, the Honorable Gauri Shirali Shah, Administrative Law Judge ("ALJ,") held a plenary hearing, took testimony, admitted documents, and the record then closed.

On April 10, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner executed an SP, wherein he agreed, among other things, to pay 30 percent of his monthly rent. See Initial Decision at 3; see also Exhibit R-2. However, Petitioner failed to pay his required portion of the rent for the months of November, 2023, through January, 2024, in violation of the terms of his SP. See Initial Decision at 3, 4-5; see also Exhibit R-10, and N.J.A.C. 10:90-6.5(a). As a result, the Agency terminated Petitioner's EA benefits, effective February 18, 2024, and imposed a six-month EA ineligibility penalty. See Initial Decision at 3; see also Exhibit R-9, and N.J.A.C. 10:90-6.6(a). Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. *Id.* at 6; see also Exhibit R-9, and N.J.A.C. 10:90-6.1(c), -6.6(a). 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 conclusion in this matter, and hereby ADOPT the Findings of Fact and Conclusion of Law.

By way of comment, the transmittal in this matter indicates that Petitioner also appealed a termination of his SNAP benefits. However, the record indicates that Petitioner withdrew his appeal of the SNAP termination after the Agency confirmed that Petitioner's SNAP benefits had been reinstated. See Initial Decision at 2. Therefore, the ALJ did not address that issue in the Initial Decision. *Ibid.* Petitioner's SNAP issue now being moot, it has not been addressed in this Final Agency Decision.

By way of further comment, Petitioner's EA ineligibility penalty shall run from February 18, 2024, the effective date of the termination, through August 17, 2024. See Exhibit R-9.



Also, 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.

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

Officially approved final version. April 17, 2024

Natasha Johnson
Assistant Commissioner

