



## State of New Jersey

### DEPARTMENT OF HUMAN SERVICES

Division of Family Development  
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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 7119-14 G.B.

AGENCY DKT. NO. C049762 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)

Petitioner appeals from the Respondent Agency's termination of his Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits because he violated the terms of his EA service plan. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 15, 2014, the Honorable W. Todd Miller, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On July 30, 2014, the ALJ issued his Initial Decision affirming the Agency's determination.

No exceptions to the Initial Decision were filed.

As Director of the Division of Family Development, Department of Human Services, I have considered the record for this matter and the ALJ's Initial Decision, and having made an independent evaluation of the record, I accept and adopt the Findings of Fact and the Conclusions of Law as contained in the Initial Decision.

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 her 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 service plan. *Ibid.* If a recipient fails to comply with the service plan, then the recipient's EA must be terminated for a period of six months. *Ibid.*

The record for this matter demonstrates that the Petitioner signed a service plan

wherein he agreed to make ten housing searches a week and submit documentation of those searches to the Agency on a weekly basis. Exhibit R-1:11-14. Additionally, the Petitioner agreed to comply with all of the Work First New Jersey requirements and to meet with his case managers as needed. Ibid.

The Petitioner missed two scheduled appointments with the Agency on January 15 and April 18, 2014. Exhibit R-1:19-20. Additionally, the ALJ found that the Petitioner routinely failed to complete and submit the requisite housing searches to the Agency. Finally, the ALJ found that the Petitioner had demonstrated a pattern of non-compliance and a lack of commitment to become self sufficient and independent, as reflected in the Agency's case notes. Exhibit R-1:21-25. As such, the ALJ concluded, and I agree, that the Petitioner failed to comply with his service plan without good cause. Because Petitioner failed to comply with his service plan, without good cause, he is ineligible for EA for a period of six months. N.J.A.C. 10:90-6.6(a).

Accordingly, the Agency action is AFFIRMED.

AUG 28 2014

*Signed Copy on File*  
at DFD, BARA

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Jeanette Page-Hawkins  
Director