

DEPARTMENT OF HUMAN SERVICES

Chris Christie Governor

Kim Guadagno Lt. Governor Division of Family Development P.O. Box 716 TRENTON, NEW JERSEY 08625

Elizabeth Connolly
Acting Commissioner

Natasha Johnson Director Tel. (609) 588-2400

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 14195-15 G.P.

AGENCY DKT. NO. V607436 (UNION COUNTY DIVISION OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits under the former Housing Assistance Program ("HAP") pilot. The Agency terminated Petitioner's EA benefits under HAP because it determined that she had violated the terms of her service plan ("SP"), without good cause. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 22, 2015, the Honorable Laura Sanders, Acting Director and Chief Administrative Law Judge ("CALJ"), held a plenary hearing, took testimony and admitted documents.

On October 23, 2015, the CALJ issued an Initial Decision, affirming the Agency's determination. The record shows that under the terms of Petitioner's SP, she was required to contribute 30 percent of her total household income towards the payment of her emergency shelter placement, and to accept affordable housing, when it became available. See Initial Decision at 2; see also Exhibit R-3. The record also shows that Petitioner did not dispute failing to pay her required share of rent for the months of July and August 2015. See Initial Decision at 2. Additionally, the record shows that Petitioner declined several offers of affordable housing placement. Id. at 3. The CALJ found that Petitioner violated her SP, and caused her own homelessness, without good cause, when she failed to pay her required share of the rent. Ibid.; see also Exhibit R-3. The CALJ also found that Petitioner violated her SP when she refused offers of affordable housing placement, without good cause. Ibid. Accordingly, the CALJ concluded that the Agency properly terminated Petitioner's EA benefits under HAP because she had violated the terms of her SP. See Initial Decision at 3; see also N.J.A.C. 10:90-6.1(c)(3)(ix).

HPW Number: 14195-15 Case Number: V607436 20-90

Page 2

No Exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development ("DFD"), Department of Human Services, I have considered the CALJ's Initial Decision and following an independent review of the record, I concur with the CALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law in this matter.

By way of comment, because I find that Petitioner failed to comply with the terms of her SP, without good cause, she is ineligible for EA for a period of six months, effective August 13, 2015. See N.J.A.C. 10:90-6.6(a).

By way of further comment, the HAP and Housing Hardship Extension ("HHE") pilot programs expired on July 2, 2015, and no new applications for HAP or HHE are being accepted after July 6, 2015. See DFD Instruction No. 15-07-02.

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

NOV 16/2015 Natasha Johnson
Director