



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 8366-14 J.S.

AGENCY DKT. NO. C254038 (PASSAIC COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's sanctioning of her Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits, which in turn, resulted in Petitioner not receiving Emergency Assistance ("EA") under the Housing Hardship Extension ("HHE") pilot program, N.J.A.C. 10:90-6.9. The Agency denied Petitioner EA under HHE due to sanctions for non-compliance with a work activity within a 12-month period prior to Petitioner's application for an EA extension under HHE. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 28, and August 11, 2014, the Honorable Joann LaSala Candido, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On August 13, 2014, the ALJ issued her Initial Decision affirming the Agency's determination that Petitioner was correctly denied EA under HHE, as Petitioner had not appealed the earlier two of three sanctions in a timely manner and was now time-barred from consideration of those sanctions. See Initial Decision at 3-4. The ALJ noted in the Initial Decision that a third sanction had been agreed to be rescinded by the Agency at the hearing. See Initial Decision at 3, 4.

No Exceptions to the Initial Decision were filed by either party.

As the Director of the Division of Family Development ("DFD"), Department of Human Services, I have considered the record in this matter and the ALJ's Initial Decision, and having made an independent evaluation of the record, I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusions of Law in this matter.

By way of comment, the ALJ states in the Initial Decision that the Agency agreed at

the hearing to rescind a third sanction, stemming from purported absences at a work activity without good cause. See Exhibit R-1 at 1, 10. The Initial Decision however, indicates that the effective date of this sanction as April 2, 2014. See Initial Decision at 4. However, a review of the record indicates the effective date of the rescinded sanction to be May 1, 2014. See Exhibit R-1 at 10.

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

SEP 29 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director