



*State of New Jersey*

**DEPARTMENT OF HUMAN SERVICES**

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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 5061-14 S.T.

AGENCY DKT. NO. C079902 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals the Respondent Agency's termination of her Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA on the basis that she failed to comply with her service plan and because she caused her own homelessness. Because Petitioner appealed, this matter was transmitted to the Office of Administrative Law for a hearing. On June 27, 2014, the Honorable Leland S. McGee, Administrative Law Judge ("ALJ"), held a hearing, took testimony, and admitted documents into evidence. On July 20, 2014, the ALJ issued his Initial Decision affirming the Agency determination.

Neither party submitted Exceptions to the Initial Decision.

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 Conclusions of Law 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.*

Here, I agree with the ALJ that Petitioner failed to comply with the terms of her service

plan without good cause. The record demonstrates that the Petitioner signed a service plan requiring her to abide by the rules of the motel where she was temporarily placed. Exhibit R-1. Petitioner was involved in an incident involving four other motel residents. The altercation disturbed the other motel residents, resulted in property damage, and required police intervention. Exhibits R-3 and R-4. As a result of the altercation, all of the individuals involved were required to leave the motel. As such, the ALJ correctly concluded that the Petitioner failed to comply with the terms of her service plan without good cause. N.J.A.C. 10:90-6.6.

Moreover, adult recipients who are terminated without good cause from a hotel/motel EA placement as a result of the recipient's actions including, but not limited to, destruction of shelter property and threatening and/or disruptive behavior affecting the operations of the shelter or the safety of the other residents, shall be ineligible for EA for a period of six months. N.J.A.C. 10:90-6.3(c)(2) and (3). Because the record in this matter demonstrates that the Petitioner was terminated from the motel as a result of an altercation that disturbed the other motel residents, required police intervention, and resulted in destruction of property, I find that the Petitioner is ineligible for EA for a period of six months. N.J.A.C. 10:90-6.3(c)(2) and (c)(3).

Accordingly, the Agency action is AFFIRMED.

**AUG 28 2014** *Signed Copy on File*  
at DFD, BARA

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Jeanette Page-Hawkins  
Director