



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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CAROLE JOHNSON
Commissioner

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Lt. Governor

NATASHA JOHNSON
Director

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 08632-18 B.B.

AGENCY DKT. NO. C051392012 (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 the six-month EA ineligibility penalty, contending that Petitioner failed to comply with her EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 22, 2018, the Honorable David M. Fritch, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On June 25, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner executed an SP wherein she agreed, among other things, to secure affordable permanent housing, and to attend mandatory meetings. See Initial Decision at 2-3; see also Exhibit R-2. Of note, Petitioner has received 25 months of EA benefits. See Initial Decision at 2; see also Exhibit R-6. The Agency provided Petitioner with a list of available rooms for Petitioner to visit as possible rentals. See Initial Decision at 3; see also Exhibit R-9. On June 15, 2018, the Agency met with Petitioner, and Petitioner refused to follow up with the list of rooms, and refused to sign a new SP. See Initial Decision at 3; see also Exhibit R-8. As a result, the Agency terminated Petitioner's EA benefits and imposed a six-month EA ineligibility penalty. See Initial Decision at 5; see also Exhibit R-10. The ALJ found that Petitioner failed to attempt to look for housing, and did not provide any credible evidence to establish good cause for her non-compliance with the SP requirements. See Initial Decision at 5-6. Based on the foregoing, the ALJ concluded that Petitioner failed to comply with her SP, without good cause, and that the Agency's termination of Petitioner's EA benefits, as well as the imposition of the six-month EA ineligibility penalty, was proper and must stand. See Initial Decision at 6; see also Exhibit R-10, and N.J.A.C. 10:90-6.6(a). I agree.

Petitioner filed Exceptions to the Initial Decision on June 25, and June 27, 2018.

As the Director of the 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 final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

By way of comment, I have reviewed Petitioner's Exceptions and find that the arguments made therein do not alter my decision in this matter.

By way of further comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her 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.

Natasha Johnson
Director

JUN 28 2018

