



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 08188-18 J.A.

AGENCY DKT. NO. C085588015 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits contending that Petitioner had 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 July 27, 2018, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open to allow the Agency to provide requested documents. The documents were received on July 31, 2018, and the record closed on that date.

On August 21, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner entered into five SPs, dated January 18, 2018, January 23, 2018, February 8, 2018, February 9, 2018, and February 23, 2018, wherein she agreed, among other things, to conduct housing searches and to provide the Agency with forms documenting her housing searches for each month that she received EA benefits. See Initial Decision at 2-3, 6; see also Exhibits R-2 through R-6. However, the ALJ found that the Agency's records substantiated that Petitioner had failed to provide the required searches, except for January 2018, that the Agency reminded Petitioner on several occasions to provide proof of said searches, and that Petitioner failed to provide any evidence to the contrary. See Initial Decision at 3-6; see also Exhibits R-7, R-12, and R-15 at 3, 5, 6. Based on the foregoing, the ALJ concluded that Petitioner had failed to comply with her SP without good cause, and that the Agency's termination of Petitioner's EA benefits was proper and must stand. See Initial Decision at 6-7; see also Exhibit R-1, and N.J.A.C. 10:90-6.6(a). I agree.

No Exceptions to the Initial Decision were received.

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, because I agree with the ALJ's conclusion that Petitioner failed to comply with her SP, I hereby impose upon her a six-month period of ineligibility for EA benefits. See Initial Decision at 7; see also 10:90-6.6(a). Petitioner's six-month EA ineligibility penalty shall run from June 1, 2018, the effective date of the Agency's termination of EA benefits, through November 30, 2018. See Exhibit R-1.

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



Officially approved final version.

OCT 01 2018

Natasha Johnson

Director

