



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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TRENTON, NJ 08625-0716

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 17755-17 K.W.

AGENCY DKT. NO. C056675003 (BURLINGTON COUNTY BD. 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 she 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. A hearing was initially scheduled for December 27, 2017, but was adjourned. The case was rescheduled for January 29, 2018, but again adjourned. The next rescheduled date of March 12, 2018, was again not heard. Finally, on April 30, 2018, the Honorable Dean J. Buono, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On May 3, 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 find employment. See Initial Decision at 2; see also Exhibit R-1 at 6-9. Of note, Petitioner has received 42 months of EA benefits. See Initial Decision at 2; see also Exhibit R-1 at 11-19. Petitioner's spouse testified, requesting more time to find housing due to the fact that they have one child, a high school senior, who will soon graduate, and one child, a high school junior, who needs more time to finish school. See Initial Decision at 3. The record indicates that neither Petitioner, nor her spouse, have found employment. *Id.* at 2; see also Exhibit R-1 at 22. The ALJ found that, not only did Petitioner not secure permanent housing, but that she also 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 4. 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 was proper and must stand. See Initial Decision at 3-4; see also Exhibit R-1 at 2-5, 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 in this matter.

By way of comment, because I concur with the ALJ's finding that Petitioner failed to comply with her SP, without good cause, I hereby impose upon her a six-month period of ineligibility for EA benefits. See Initial Decision at 3-4; see also N.J.A.C. 10:90-6.6(a). Further, because Petitioner has been receiving continued assistance pending the outcome of this hearing, her EA benefits ineligibility penalty shall begin to run as of the date of the issuance of this Final Agency Decision.

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

Officially approved final version.

MAY 22 2018

Natasha Johnson

Director

