



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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NATASHA JOHNSON
Assistant Commissioner

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 15234-19 M.K.

AGENCY DKT. NO. C157222003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's August 23, 2019, termination of Emergency Assistance ("EA") benefits, and denial of storage fees. The Agency terminated Petitioner's EA benefits, and denied Petitioner EA in the form of storage fees, contending that she failed to comply with her EA service plan ("SP"). Petitioner also appealed the Agency's November 8, 2019, revised notice of termination of EA benefits, wherein a six-month period of ineligibility for EA benefits was imposed for failure to comply with her SP. Because Petitioner appealed, both matters were transmitted separately to the Office of Administrative Law ("OAL") for hearings. On November 13, 2019, the Honorable Dean J. Buono, Administrative Law Judge ("ALJ"), consolidated Petitioner's cases, docketed under OAL Docket Numbers HPW 12986-19 and HPW 15234-19, respectively, and then held a plenary hearing, took testimony, and admitted documents.

On November 18, 2019, 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 pay 30 per cent of her monthly income towards her housing, which was to be paid directly to the landlord. See Initial Decision at 2; see also R-1 at Exhibits 3-6. However, the ALJ found that Petitioner failed to pay her portion of the rent, in violation of the terms of her SP, without good cause. See Initial Decision at 2-3; see also R-1 at Exhibits 5, 7. Accordingly, the ALJ concluded that the Agency's termination of Petitioner's EA benefits in the form of housing, its denial of EA benefits in the form of storage fees, as well as its imposition of a six-month period of ineligibility for EA benefits, were proper and must stand. See Initial Decision at 3-4; see also R-1 at Exhibits 1, 2, 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 Petitioner has been receiving continued assistance pending the outcome of the fair hearing, her six-month EA ineligibility penalty shall begin to run as of the date of the issuance of this Final Agency Decision. See N.J.A.C. 10:90-6.6(a).



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

Officially approved final version.

NOV 25 2019

Natasha Johnson
Assistant Commissioner

