



State of New Jersey

PHILIP D. MURPHY
Governor

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

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 14062-19 J.R.

AGENCY DKT. NO. C250444009 (HUDSON COUNTY DEPT OF FAM 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 a six-month EA ineligibility penalty, contending that he failed to comply with his EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 19, 2019, the Honorable Susana E. Guerrero, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On December 20, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner executed an SP wherein he agreed, among other things, to attend all Agency scheduled appointments, to apply for subsidized housing and to provide proof of same, to pay his portion of the rent, and to provide certain documentation as requested. See Initial Decision at 4; see also Exhibit R-5. The ALJ found that Petitioner, without good cause, failed to attend several scheduled appointments, failed to provide requested documentation, and failed to search for subsidized housing, in violation of the terms of his SP. See Initial Decision at 5-7. Moreover, the ALJ found that Petitioner had been sent several notices reminding him of the scheduled appointments and the documentation required pursuant to his SP. *Id.* at 5-6; see also Exhibit R-6. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, and the imposition of a six month EA ineligibility penalty, were 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 Petitioner has been receiving continued assistance pending the outcome of this fair hearing, his six-month EA ineligibility penalty shall begin to run as of the date of the issuance of this Final Agency Decision.



By way of further comment, the transmittal in this matter indicates that Petitioner also appealed a termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") and Supplemental Nutrition Assistance Program ("SNAP") benefits. However, at the time of the hearing, the ALJ indicated that Petitioner's WFNJ/TANF and SNAP benefits had been restored. See Initial Decision at 2. Therefore, Petitioner's WFNJ/TANF and SNAP benefits issues are now moot, and as such, not addressed in this Final Agency Decision.

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

Officially approved final version.

JAN 28 2020

Natasha Johnson
Assistant Commissioner

