



## State of New Jersey

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*Governor*

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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 **05959-23 J.L.**

AGENCY DKT. NO. **C093868008 (GLOUCESTER COUNTY DIV. 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 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 July 12, 2023, the Honorable Robert D. Herman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On July 13, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on May 10, 2023, Petitioner executed an SP, wherein he agreed, among other things, to complete 20 monthly housing searches and provide proof of same to the Agency in accordance with the "2023 Emergency Assistance Housing Searches" schedule provide to Petitioner. See Initial Decision at 2-5; see also Exhibit R-1 at 9-15, and N.J.A.C. 10:90-6.6(a). Petitioner acknowledged that it was his responsibility to conduct such housing searches. See Initial Decision at 6. Petitioner also adamantly testified that he had no mental health issues that inhibited his ability to conduct such searches. *Id.* at 4-5; see also Exhibit R-1 at 22. Of note, the record also reflects that both the Agency and a worker at Petitioner's shelter placement, attempted to assist Petitioner with the required housing search process, but to no avail. See Initial Decision at 3; see also Exhibit R-1 at 22. Accordingly, the ALJ found that Petitioner had failed to comply with the aforementioned SP requirements, and had failed to provide any good cause reason for such failure. See Initial Decision at 5-7; see also Exhibit R-1 at 9-15. Based on the foregoing, the ALJ concluded that Petitioner had failed to comply with his SP, and that the Agency's termination of Petitioner's EA benefits was proper and must stand. See Initial Decision at 7; see also Exhibit R-1 at 2-4, and N.J.A.C. 10:90-6.6(a). I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, 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, Petitioner is without prejudice to reapply for EA benefits and is advised that he must sign and comply with an updated SP, which may include required housing searches. Petitioner is further advised that failure to comply with his SP will again result in a termination of EA benefits and the imposition of a six-month period of ineligibility for EA benefits.

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.



Also, by way of comment, as it appears from the record that Petitioner may have mental health issues, the Agency should refer Petitioner for Substance Abuse Initiative and Behavioral Health Initiative evaluations, if it has not already done so. See N.J.A.C. 10:90-6.1(c)(1)(iii). Should that assessment require Petitioner to engage in treatment, that requirement shall be incorporated into his Individual Responsibility Plan ("IRP") and his SP. See N.J.A.C. 10:90-6.1(c)(1)(iii), -6.6(a)(1)(iii).

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

Officially approved final version.

July 24, 2023

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Natasha Johnson

Assistant Commissioner

