



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
CN 716

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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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 14205-16 M.S.

AGENCY DKT. NO. C068902 (MERCER 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 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. On October 11, 2016, the Honorable Elia A. Pelios, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On May 2, 2017, 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 conduct weekly housing searches, and to provide the Agency with fully completed house search forms each week. See Initial Decision at 2; see also Exhibit R-1 at 6-9. Petitioner contended that she did not provide the required housing searches to the Agency because she was ill. See Initial Decision at 3-4. However, the ALJ found that the Agency had made allowances for Petitioner's failure to provide housing searches during the time she was ill, yet even after Petitioner's illness had passed, she still did not complete her required housing searches. *Id.* at 4. Therefore, the ALJ found that Petitioner violated the terms of her SP, by failing to comply with the aforementioned agreed upon requirements, without good cause. *Id.* at 4, 5; see also Exhibits R-1 at 6-9, R-2 at 1, and N.J.A.C. 10:90-6.6(a). Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits was proper, and must be affirmed. See Initial Decision at 5-6; see also Exhibit R-1 at 1-5, 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 and hereby ADOPT the Findings of Fact and Conclusion of Law in this matter.

Additionally, because I concur with the ALJ's conclusion that Petitioner has failed to comply with her SP, I hereby impose upon her a six-month period of ineligibility for EA benefits. See Initial Decision at 5-6; 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, I find that her six-month EA ineligibility penalty shall begin to run as of the date of this Final Agency Decision.

As the record indicates that Petitioner may have an open case with the Division of Child Protection and Permanency ("DCP&P"), f/k/a DYFS, a copy of the Initial and Final Decisions shall be forwarded to DCP&P. See Initial Decision at 3.

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

Signed Copy on File

at DFD, BARA

JUN 03 2017

Natasha Johnson

Director