



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
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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 16389-17 H.V.

AGENCY DKT. NO. C673598007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of an extension of Emergency Assistance ("EA") benefits. The Agency denied Petitioner's request for an extension of 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 November 30, 2017, the Honorable Richard McGill, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On December 1, 2017, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that Petitioner received EA benefits in the form of Temporary Rental Assistance beginning in April of 2017, and executed an SP wherein she agreed, among other things, to actively search for permanent housing, to keep a record of those searches, and to return the completed logs to the Agency, weekly. See Initial Decision at 2; see also Exhibit R-3. However, Petitioner failed to conduct the required number of housing searches. See Initial Decision at 2. Based on the foregoing, the ALJ concluded that Petitioner failed to comply with her SP, and that the Agency's denial of Petitioner's request for an extension of EA benefits was proper and must stand. See Initial Decision at 2-3; see also Exhibit R-2, and N.J.A.C. 10:90-6.6(a). I agree.

Exceptions to the Initial Decision were filed by Petitioner on December 22, 2017.

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 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 EA benefits ineligibility. See Initial Decision at 2-3; see also N.J.A.C. 10:90-6.6(a). As Petitioner has been receiving continued assistance pending the outcome of this hearing, her 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 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, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.



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

Officially approved final version.

JAN 22 2018

Natasha Johnson

Director

