



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
Director

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 13147-18 T.S.

AGENCY DKT. NO. C101578008 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits in the form of shelter placement. The Agency terminated Petitioner's EA benefits, contending that he violated his EA service plan ("SP") by failing to attend housing workshops. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 12, 2018, the Honorable John S. Kennedy, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On November 2, 2018, the ALJ issued an Initial Decision, affirming the Agency's termination of Petitioner's EA benefits.

Here, Petitioner, a Work First New Jersey/General Assistance benefits recipient, received EA benefits in May of 2018, and on June 21, 2018, signed an SP wherein he agreed to attend mandatory housing workshops. See Initial Decision at 2; see also Exhibit R-1 at 13-18. During the review of his SP with the Agency, Petitioner was made aware of his responsibilities, yet he missed the mandatory workshops on June 27, July 11, and August 29, 2018. See Initial Decision at 2. As a result of the missed appointments, the Agency terminated Petitioner's EA benefits effective September 10, 2018. See Initial Decision at 2; see also Exhibit R-1 at 2, and N.J.A.C. 10:90-6.6(a). Petitioner testified that he had missed those appointments because he had trouble securing transportation and bus passes. See Initial Decision at 2-3. However, the ALJ found that Petitioner was issued bus passes by the Agency, but chose to use them to get to other appointments. *Ibid.* Based on the facts and testimony presented, the ALJ found that Petitioner had failed to comply with his SP, without good cause, and that the Agency's termination of Petitioner's EA benefits was proper and must stand. *Id.* at 3-4; see also Exhibit R-1 at 2, and N.J.A.C. 10:90-6.6(a). I agree.

Additionally, because I agree with the ALJ that Petitioner violated his SP, I hereby impose upon him a six-month period of ineligibility for EA benefits, pursuant to N.J.A.C. 10:90-6.6(a). As Petitioner has been receiving continued assistance pending the outcome of this hearing, the six-month EA ineligibility penalty shall begin to run from the date of the issuance of this Final Agency Decision.

No Exceptions to the Initial Decision were filed.

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.

By way of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with his current needs, including Social Services for the Homeless.



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

Officially approved final version.

NOV 28 2018

Natasha Johnson
Director

