



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
P.O. Box 716
TRENTON, NEW JERSEY 08625

Chris Christie
Governor

Kim Guadagno
Lt. Governor

Elizabeth Connolly
Acting Commissioner

Natasha Johnson
Director
Tel (609) 588-2400

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 14986-15 A.D.

AGENCY DKT. NO. C044194 (CAPE MAY COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Petitioner's extension of Emergency Assistance ("EA") benefits under the Housing Assistance Program ("HAP") pilot for failure to comply with terms required pursuant to her HAP extension. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 5, 2015, the Honorable Bruce M. Gorman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On November 17, 2015, the ALJ issued his Initial Decision affirming the Agency determination.

The record reveals that Petitioner is a Supplemental Security Income ("SSI") recipient who has received 39 units of EA to date. See Exhibit R-1 at 12 and 20-22. Petitioner's extended EA under HAP, see N.J.A.C. 10:90-6.10(a), was previously terminated on December 2, 2014, for failure to comply with her EA service plan, and a six-month EA ineligibility period was assessed against her on that date. See Initial Decision at 2; see also Exhibit R-1 at 30-32. On June 5, 2015, Petitioner reapplied for EA under HAP, and was awarded three additional months of EA in the form of motel placement, contingent upon her locating permanent housing within those three months. See Initial Decision at 2; see also Exhibit R-1 at 6-9. However, because Petitioner failed to locate permanent housing within three months, the Agency terminated Petitioner's benefits by adverse action notice dated September 3, 2015. See Initial Decision at 2; see also Exhibit R-1 at 15-18. The ALJ concluded that Petitioner was unable to provide good cause for failing to locate permanent housing

within the allotted three-month time period, and that the WFNJ regulations prohibit a recipient from indefinitely staying in a motel. See Initial Decision at 3. On that basis, the ALJ concluded that the Agency's termination of Petitioner's EA in the form of motel placement was proper and should be affirmed. Ibid.

No Exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the record in this matter and the ALJ's Initial Decision and, having made an independent evaluation of the record, I concur with the Initial Decision and hereby adopt the Findings of Fact and Conclusions of Law in this matter.

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

Signed Copy on File
at DFD, BARA

DEC 28 2015

Natasha Johnson
Director