



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Director
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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 14089-15 A.S.

AGENCY DKT. NO. GA275757 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's termination of his Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA because it determined that he had violated the terms of his service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 22, 2015, the Honorable Michael Antoniewicz, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On October 28, 2015, the ALJ issued an Initial Decision, affirming the Agency's determination. The record shows that under the terms of Petitioner's SP, he was required to fully cooperate with the Agency, and that failure to comply with its terms may affect his continued EA eligibility. See Exhibit R-2 at 5. The record also shows, and Petitioner admitted, that he failed to attend two scheduled meetings with the Agency worker. See Initial Decision at 2; see also Exhibits R-3 and R-4. Based on the foregoing, the ALJ found that Petitioner violated the terms of his SP, without good cause, when he failed to attend the scheduled meetings. See Initial Decision at 2. Accordingly, the ALJ concluded that the Agency properly terminated Petitioner's EA benefits. *Id.* at 3.

Exceptions to the Initial Decision were filed by Petitioner on November 4, 2015.

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 in this matter.

By way of comment, because I find that Petitioner had failed to comply with the terms of his SP, without good cause, he is ineligible for EA for a period of six months, effective July 31, 2015. See N.J.A.C. 10:90-6.6(a).

By way of further comment, I find that the record does not reflect any allegations of shelter rule violations by Petitioner, as stated by the ALJ. See Initial Decision at 1.

Additionally, 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.

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

NOV 17 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director