



## State of New Jersey

### DEPARTMENT OF HUMAN SERVICES

Division of Family Development  
P.O. Box 716  
TRENTON, NEW JERSEY 08625  
(609) 588-2400

Chris Christie  
*Governor*

Kim Guadagno  
*Lt. Governor*

Elizabeth Connolly  
*Acting Commissioner*

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 899-15 C.H.

AGENCY DKT. NO. V827671 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA because she refused its housing placement at a rooming house, thereby violating her service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 13, 2015, the Honorable Bruce M. Gorman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence. On February 27, 2015, the ALJ issued his Initial Decision affirming the Agency determination.

No exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have independently reviewed the record and I hereby ADOPT the Initial Decision and AFFIRM the Agency's determination.

The purpose of EA is to meet the needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work related activities without disruption in order to continue on the path to self-sufficiency. See N.J.A.C. 10:90-6.1(a). In order to maintain eligibility for EA benefits, the recipient must take reasonable steps to resolve the emergent situation. N.J.A.C. 10:90-6.6(a). Reasonable steps include, but are not limited to, the recipient participating in the creation of, and complying with, a service plan. *Ibid.* If a recipient fails to comply with the service plan, then the recipient is ineligible for EA benefits for a period of six months. *Ibid.* Further, in relevant part, the regulations state that "The county/municipal agency shall determine the most appropriate form

of emergency housing which is required to address the need and authorize payment of the costs of adequate emergency shelter/housing, taking into consideration individual/family circumstances and services provided. Such emergency housing includes placement in shelters; hotel/motel placement; transitional housing; or shelters for victims of domestic violence." N.J.A.C. 10:90-6.3(a)(1).

Here, noting the applicable regulatory provision, N.J.A.C. 10:90-6.3(a)(1), the ALJ concluded that Petitioner's SP required her to accept the form of housing chosen for her by the Agency. See Initial Decision at 3; see also Exhibit R-1 at 7, 13. As Petitioner refused to contact the housing provider that the Agency had found for her, she was in violation of her SP. See Initial Decision at 3. The ALJ therefore concluded that the Agency properly terminated Petitioner's EA benefits. Ibid. I agree with the ALJ's conclusion.

By way of comment, as the Petitioner violated her service plan without good cause, pursuant to N.J.A.C. 10:90-6.6(a), she is ineligible for EA benefits for a period of six months.

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

**APR 24 2015**

*Signed Copy on File*  
at DFD, BARA

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Natasha Johnson  
Director