



## State of New Jersey

### DEPARTMENT OF HUMAN SERVICES

Division of Family Development  
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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 7295-15 G.R.

AGENCY DKT. NO. C100810 (BURLINGTON COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of her Emergency Assistance ("EA") benefits in the form of shelter placement, and the imposition of a six-month period of EA ineligibility. The Agency terminated Petitioner's EA benefits and imposed a six-month EA penalty because it determined that she violated the terms of her service plan ("SP"), without good cause, when she allegedly failed to comply with her shelter rules. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 18, 2015, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On November 23, 2015, the ALJ issued an Initial Decision, reversing the Agency's determination. The record shows that under the terms of Petitioner's SP, she was required to follow her shelter rules. See Initial Decision at 2; see also Exhibit R-1 at 5-12. The Agency alleged that Petitioner violated her shelter rules when she allowed a visitor to extend her stay, and also when Petitioner left her shelter in poor condition. See Initial Decision at 2. However, the ALJ found that Petitioner did not violate her shelter rules because the shelter granted her permission to receive a visitor, and the visitor left immediately, when advised to do so. *Id.* at 5. The ALJ also found that the case manager for the shelter offered no credible evidence in support of her claim that Petitioner failed to maintain her housing unit in good condition. *Id.* at 4-5. Accordingly, the ALJ concluded that the Agency improperly terminated Petitioner's EA benefits. *Id.* at 5.

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 in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law in this matter.

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

*Signed Copy on File*  
at DFD, BARA

DEC 17 2015

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Natasha Johnson  
Director