



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

Jennifer Velez
Commissioner

Jeanette Page-Hawkins
Director
Tel. (609) 588-2000

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 13460-14 J.G.

AGENCY DKT. NO. C091847 (CUMBERLAND COUNTY BD OF SOC SVCS.)

Petitioner appeals from the Respondent Agency's termination of his Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA because he failed to comply with his EA service plan. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 3, 2014, the Honorable Bruce M. Gorman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On December 11, 2014, the ALJ issued his Initial Decision affirming the Agency determination.

Petitioner filed Exceptions to the Initial Decision on December 23, 2014.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the record and the Initial Decision and hereby ADOPT the Initial Decision of the ALJ 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 his 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 6 months. Ibid.

The record in this matter indicates that Petitioner signed a service plan on September 16, 2014. See Initial Decision at 2; see also Exhibit R-1 at 23-28. One of the terms of the service plan was for Petitioner to abide by shelter rules. Ibid. Specifically, one of the house rules stated guests were not to cause a disruption in the facility. Ibid. Consequently, Petitioner was found taking pictures of other residents and a shelter employee with his cell phone in violation of their privacy. See Initial Decision at 2. Petitioner's actions led to a dispute with another resident requiring the police to be summoned. Ibid. The ALJ agreed with the Agency that Petitioner's actions were disruptive acts in violation of shelter rules. See Initial Decision at 3; see also N.J.A.C. 10:90-6.3(c)(3). I find that the ALJ was correct to determine Petitioner violated the terms of his service plan. Moreover, Petitioner will be subject to a six month period of ineligibility of EA benefits pursuant to N.J.A.C 10:90-6.6(a).

Based upon the foregoing, I hereby ADOPT the Initial Decision of the ALJ and AFFIRM the Agency's determination.

FEB 10 2015

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director