



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 16757-15 J.S.

AGENCY DKT. NO. C110053 (CUMBERLAND COUNTY BD OF SOC SVCS.)

Petitioner appeals from Respondent Agency's termination of her Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's EA on the basis that Petitioner failed to comply with the rules of her shelter placement, and therefore, failed to comply with her EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 18, 2015, the Honorable Bruce M. Gorman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On November 25, 2015, the ALJ issued an Initial Decision affirming the Agency determination. The ALJ found that Petitioner entered into a SP where she agreed, among other things, to abide by the rules of her shelter placement. See Initial Decision at 3. In addition, Petitioner's SP outlines specifically that threatening or disruptive behavior toward other residents will result in the termination of her EA benefits and imposition of a six-month EA penalty. See Exhibit R-1 at 34. The ALJ found that Petitioner's testimony, that she merely engaged in regular conversation with another resident, to be incredible. See Initial Decision at 2. The ALJ agreed with the Agency that Petitioner engaged in an altercation where she threatened another resident and therefore violated her SP. *Ibid.* Accordingly, the ALJ found that the Agency properly terminated Petitioner's EA benefits, and properly imposed a six-month EA penalty. *Id.* at 3; see also N.J.A.C. 10:90-6.6(a).

No Exceptions to the Initial Decision were filed by either party.

As the Director of the Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision and I hereby ADOPT the Findings of Fact and Conclusions of Law in this matter.

By way of comment, as it appears from the record that recent referrals may have been made to the Division of Child Protection and Permanency ("DCP&P"), Exhibit R-1 at 11, a copy of the Initial and Final Decisions shall be forwarded to DCP&P to ensure the health, safety, and welfare of Petitioner's children.

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

DEC 17 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director