



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 12371-14 L.D.

AGENCY DKT. NO. C219624 (CAMDEN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits for non-compliance with her service plan for failure to follow shelter rules. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 6, 2014, the Honorable Sara G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On November 24, 2014, the ALJ issued an Initial Decision which affirmed the Agency determination.

Neither party submitted exceptions.

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

The purpose of EA is to meet the emergent needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work activities without disruption and continue on a path to self-sufficiency. 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 her 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 written and signed service plan. Ibid. If a recipient fails to comply with the service plan, without good cause, then the recipient's EA must be terminated for a period of six months. Ibid.

Additionally, N.J.A.C. 10:90-6.3(c) provides, "EA shall not be provided to adult recipients who are terminated without good cause from an EA placement ... for a period of six months when the termination is the result of the recipient's actions, which may include, but are not limited to, the actions identified in (c)(1) through 6 below ... Destruction of shelter property or the property of others ... Violations of health and safety policies"

The record in this matter shows that Petitioner had multiple violations at the shelter where she had been placed, including, but not limited to, damage to property, smoking in the facility, and leaving her child unattended. See Exhibits R-1 at 1, 7. Petitioner does not deny that she failed to comply with the shelter's rules. See Initial Decision at 3.

I find that the aforementioned violations undeniably demonstrate destructive behavior and behavior that affects the health and safety of the residents, staff and facility. See N.J.A.C. 10:90-6.3(c). As such, I concur with the ALJ that Petitioner clearly violated her service plan by failing to follow shelter rules. Therefore, Petitioner is ineligible for EA benefits for a period of six months.

For the foregoing reasons, I ADOPT the Initial Decision and AFFIRM the Agency determination.

Signed Copy on File
at DFD, BARA

JAN 20 2015

Jeanette Page-Hawkins
Director