



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 5558-15 L.O.

AGENCY DKT. NO. GA537691 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of his Emergency Assistance ("EA") benefits in the form of Temporary Rental Assistance ("TRA"), and the denial of his application for an extension of EA under the extreme hardship provision. The Agency terminated Petitioner's EA benefits and denied any further extension because it determined that he had exhausted his lifetime limit of EA, and did not meet the eligibility criteria for a further extension. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 1, 2015, the Honorable Diana C. Sukovich, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On October 14, 2015, the ALJ issued an Initial Decision, affirming the Agency's determination. The record shows that Petitioner is a Work First New Jersey/General Assistance ("WFNJ/GA") recipient who has received over 12 months of EA benefits. See Initial Decision at 3 and 4; see also Exhibit 9. The record also shows that Petitioner was required to conduct and to keep a log of employment searches, as well as to secure employment by April 27, 2015, under the terms of his EA service plan ("SP") and his EA Verification List. See Initial Decision at 3; see also Exhibits R-4 and R-6. Additionally, the record shows that Petitioner submitted medical documents, in support of his claim for eligibility under the EA extreme hardship provision. See Initial Decision at 6; see also Exhibit P-1. The ALJ found that Petitioner did not prove that he had conducted the mandatory employment searches, as required under his SP, since February 2015. See Initial Decision at 6; see also Exhibit R-8. The ALJ also found that Petitioner did not prove that he was

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medically diagnosed as mentally and/or physically incapable of caring for himself, thereby possibly leading to in-patient hospital care or institutionalization. See Initial Decision at 6; see also Exhibit P-1 and N.J.A.C 10:90-6.4(b)(1)(iv). Accordingly, the ALJ concluded that the Agency properly terminated Petitioner's EA benefits, and properly denied him a further extension of same. See Initial Decision at 6.

Exceptions to the Initial Decision were filed by Petitioner on October 26, 2015.

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.

By way of comment, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

By way of further comment, in his Exceptions the Petitioner indicates that there is "potential for escalating family violence." See Exceptions at 2. Accordingly, if it has not done so already, the Agency shall refer him for a Domestic Violence Option risk assessment in accordance with N.J.A.C. 10:90-20.1 et seq.

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

NOV 16 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director