



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 7750-15 N.T.

AGENCY DKT. NO. GA277692 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits because she 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 June 3, 2015, the Honorable Joan Bedrin Murray, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On June 4, 2015, the ALJ issued an Initial Decision, which affirmed the Agency's action.

No exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I ADOPT the ALJ's Initial Decision and AFFIRM the Agency's determination.

N.J.A.C. 10:90-6.6(a) outlines both recipient and Agency responsibilities in helping to resolve the emergency situation and to assist the recipient in securing suitable permanent housing. Recipients' responsibilities include acknowledgment by their signature that they will comply with, and carry out, a service plan. N.J.A.C. 10:90-6.6(a)(1)(i) further states, "The service plan shall include, as appropriate, but is not limited to: Selection of a housing arrangement which takes into consideration the recipient's circumstances, such as mental or physical problems." If a recipient fails to comply with the service plan, without good cause, then the recipient's EA benefits must be terminated for a period of six months. See N.J.A.C. 10:90-6.6(a).

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Based upon the record, Petitioner failed to comply with the requirements of her SP, without good cause, by failing to provide the Agency with the agreed upon housing searches. See Initial Decision at 2-3. Accordingly, the ALJ found, and I concur, that the Agency properly terminated Petitioner's EA benefits. Additionally, as a result of her noncompliance, Petitioner is ineligible for EA benefits for a period of six months, beginning April 30, 2015. See N.J.A.C. 10:90-6.6(a); see also Exhibit "Notification Form" at 2.

By way of comment, it appears from the fair hearing transmittal sheet that Petitioner may have an issue regarding her Supplemental Nutrition Assistance Program ("SNAP") f/k/a The Food Stamp Program, benefits; however, no such issue was addressed at the hearing. Therefore, if Petitioner still has an issue concerning her SNAP benefits, she may request another fair hearing on the matter.

Accordingly, the Initial Decision is ADOPTED and the Agency's action is AFFIRMED.

Signed Copy on File
at DFD, BARA

JUN 16 2015

Natasha Johnson
Director