



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 16768-15 S.C.

AGENCY DKT. NO. C233817 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency denied Petitioner EA benefits, and imposed a six-month penalty contending that she failed to provide it with requested documents, and had the capacity to plan to avoid her emergent situation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 27, 2015, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On October 27, 2015, the ALJ issued an Initial Decision, affirming the Agency's determination. The ALJ found that Petitioner failed to provide the Agency with the required documentation, such as an itemized account of how her \$4,982 tax refund was spent, and proof of eviction. See Initial Decision at 3. Additionally, the ALJ found that Petitioner had received timely notice from the Agency requesting said documents. *Ibid.* Accordingly, the ALJ found that Petitioner failed to provide the required documents; and had sufficient funds and the realistic capacity to plan for alternate housing, but failed to do so. *Ibid.* Therefore, the ALJ found that the Agency properly denied Petitioner EA benefits, and properly imposed a six-month penalty, effective October 14, 2015. *Id.* at 3-4; see also Exhibit R-1 at 2.

No Exceptions to the Initial Decision were filed.

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, as it appears from the record that Petitioner may be the victim of domestic violence, see Initial Decision at 2, the Agency is to refer Petitioner for a Family Violence Option risk assessment, pursuant to 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 04 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director