



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 7468-14 S.N.

AGENCY DKT. NO. C176348 (PASSAIC COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of an extension of Emergency Assistance ("EA") through the Housing Hardship Extension ("HHE") pilot program because she incurred a sanction for failure to comply with her assigned work activity within the twelve month period prior to the date of her HHE application. Petitioner is a Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefit recipient.

Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 30, 2014, the Honorable Sandra Ann Robinson, Administrative Law Judge ("ALJ"), held a plenary hearing and took testimony. An additional hearing date was scheduled for July 3, 2014. The record was closed on July 3, 2014. On July 28, 2014, the ALJ issued her Initial Decision affirming the Agency determination.

On August 8, 2014, Petitioner filed exceptions to the Initial Decision.

As the Director of the Division of Family Development, Department of Human Services, I have considered the record for this matter and the ALJ's Initial Decision, and having made an independent evaluation of the record, I accept and adopt the Findings of Fact and Conclusions of Law as contained in the Initial Decision.

Petitioner's failure to participate in the work activity program caused the imposition of a sanction in February 2014. Initial Decision at 3. The June 30, 2014, hearing was continued to July 3, 2014, to afford Petitioner the opportunity to submit documentation showing that she had good cause for her non-compliance with the WFNJ work activity program and further support her contention that the imposition of the sanction was

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incorrect. However, Petitioner did not appear at the hearing on July 3, 2014, nor did she contact the OAL after the date of the hearing to explain her failure to appear. After Petitioner failed to appear at the hearing, the ALJ closed the record and issued her Initial Decision.

Petitioner again argues in her exceptions that she had good cause for her failure to participate in the WFNJ work activity program. Petitioner received a sanction which was imposed February 2014. Pursuant to N.J.A.C. 10:90-9.10(a), Petitioner had 90 calendar days from the imposition of the sanction to file an appeal. However, Petitioner did not file an appeal of the sanction until May 29, 2014, after expiration of the deadline for filing an appeal. Accordingly, Petitioner has not satisfied the threshold burden in her appeal and demonstrated that the appeal was in fact timely. Moreover, even if Petitioner's appeal had been timely filed, she failed to appear at the hearing scheduled for July 3, 2014 and present documents supporting her previously given uncorroborated testimony.

Having considered Petitioner's exceptions, I find that these exceptions are simply a restatement of the unsupported testimony she presented to the ALJ. The Petitioner has properly been denied HHE because she incurred a sanction within the twelve month period prior to the date of her HHE application.

Accordingly, the Initial Decision in the action is hereby ADOPTED and the Agency action is AFFIRMED.

SEP 18 2014

*Signed Copy on File*  
at DFD, BARA

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Jeanette Page-Hawkins  
Director