



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 14940-14 T.B.

AGENCY DKT. NO. C138418 (MERCER COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of her Emergency Assistance ("EA") benefits. The Agency terminated the Petitioner's EA because she failed to comply with her service plan. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 16, 2014, the Honorable Joseph A. Ascione, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On January 5, 2015, the ALJ issued an Initial Decision which affirmed the Agency determination and further, imposed a 6-month period of ineligibility for EA benefits.

Neither party filed Exceptions to the Initial Decision.

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

The purpose of EA is to meet the needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work related activities without disruption in order to continue on the path to self-sufficiency. See 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 the 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 service plan. *Ibid.* If a recipient fails to comply with the service plan, then the recipient is ineligible for EA benefits for a period of six months. *Ibid.*

The record in this matter indicates that Petitioner signed an EA service plan on September 11, 2014. See Initial Decision at 2; see also Exhibit R-2 at 1. That service plan required Petitioner to contact her social worker on a monthly basis, perform ten housing and employment searches each week, and comply with her vocational activity requirement at Empire Beauty. Ibid. In addition, Petitioner applied for an extension of EA under the Housing Hardship Extension ("HHE") pilot program, which was received by the Agency on September 19, 2014. Id. at 3. The application indicated Petitioner was in compliance with her Work First New Jersey ("WFNJ") requirements. Ibid.

The ALJ determined, and I agree, that Petitioner was not in compliance with the requirements of her Service Plan. She was unable to provide ten housing and employment searches and missed approximately half of her required attendance at the beauty school. Id. at 3-4. Although Petitioner claims she completed four job searches, this testimony confirms non-compliance with her service plan's requirement for ten. Id. at 3. Petitioner has failed to provide any additional information for good cause to excuse these violations. Therefore, the ALJ correctly found that the Agency had properly terminated Petitioner's EA benefits. Moreover, I agree that Petitioner will be subject to a six month period of ineligibility for EA benefits, pursuant to N.J.A.C. 10:90-6.6(a), as ordered by the ALJ in the Initial Decision.

Based upon the foregoing, I hereby ADOPT the Initial Decision of the ALJ and AFFIRM the Agency's determination in this matter.

FEB 23 2015

Signed Copy on File

at DFD, BARA

Jeanette Page-Hawkins

Director