



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
P.O. Box 716
TRENTON, NEW JERSEY 08625

Chris Christie
Governor

Kim Guadagno
Lt. Governor

Elizabeth Connolly
Acting Commissioner

Natasha Johnson
Director
Tel. (609) 588-2400

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 7833-15 T.P.

AGENCY DKT. NO. C115121 (MERCER COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of her Emergency Assistance ("EA") benefits in the form of Temporary Rental Assistance ("TRA"). The Agency terminated Petitioner's EA benefits because it determined that she failed to comply with her EA service plan ("SP"), without good cause, and because it determined that she had exhausted her lifetime limit of EA and all available extensions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 1, 2015, the Honorable Morgan Hurley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On September 22, 2015, the ALJ issued an Initial Decision, affirming the Agency's determination. The record shows that Petitioner was required to produce ten biweekly affordable housing searches, to apply to all low income housing, and to move to a two bedroom apartment under her SP. See Initial Decision at 2; see also Exhibit R-2 at 1 and 2. The ALJ found that Petitioner violated the terms of her SP, without good cause, when she failed to meet her responsibilities. See Initial Decision at 3; see also N.J.A.C. 10:90-6.6(a). I agree with the ALJ's conclusion that Petitioner violated the terms of her SP and that the Agency properly terminated Petitioner's EA benefits on that basis. Moreover, I further find that Petitioner has exhausted her lifetime limit of EA benefits, including all available extensions. See Initial Decision at 3; see also Exhibit R-3. Accordingly, while the ALJ only determined the SP issue in his Initial Decision, I also find that the Agency properly

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terminated Petitioner's EA benefits because at this juncture, she has exhausted her lifetime limit of EA benefits and all available extensions. See Initial Decision at 3; see also Exhibit R-1.

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, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her current needs.

By way of further comment, as it appears from the record that Petitioner has an open case with the Division of Child Protection and Permanency ("DCP&P"), f/k/a DYFS, see Initial Decision at 2, a copy of the Initial and Final Decisions shall be forwarded to DCP&P.

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

Signed Copy on File
at DFD, BARA

OCT 28 2015

Natasha Johnson
Director