



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

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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 12334-14 X.R.

AGENCY DKT. NO. V723537 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's termination of his Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits for failing to provide the Agency with required documentation to determine eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 5, 2014, the Honorable Leland S. McGee, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On January 22, 2015, the ALJ issued an Initial Decision affirming the Agency's determination.

No exceptions to the Initial Decision were filed.

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 emergent needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work activities without disruption and continue on to self-sufficiency. N.J.A.C. 10:90-6.1(a). EA is available where the assistance unit is in a "state of homelessness or imminent homelessness due to circumstances beyond their control or the absence of a realistic capacity to plan in advance for substitute housing." N.J.A.C. 10:90-6.1(c). In order to maintain eligibility for EA benefits, the recipient must take reasonable steps to resolve his emergent situation. N.J.A.C. 10:90-6.6(a).

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Reasonable steps include, but are not limited to, the recipient participating in the creation of, and complying with, a service plan ("SP"). Ibid. If a recipient fails to comply with the SP, without good cause, then the recipient's EA must be terminated for a period of six months. Ibid.

In the instant matter, Petitioner was determined ineligible for EA benefits due to a failure to provide sufficient information. See Initial Decision at 2; see also Exhibit R-1 and Exhibit R-2. According to Petitioner's SP, he was required to submit housing search logs every Friday beginning on September 12, 2014. Id. at 3; see also Exhibit R-2. Although Petitioner provided housing search logs for September 2014, he failed to provide any thereafter. Therefore, I find that the ALJ was correct to affirm the Agency's determination that Petitioner is ineligible for EA. Petitioner will be subject to a 6-month period of ineligibility for EA benefits for failure to comply with his service plan pursuant to N.J.A.C. 10:90-6.6(a).

By way of comment, Petitioner is without prejudice to reapply for benefits after the ineligibility period.

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

MAR 09 2015

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director