



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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NATASHA JOHNSON
Assistant Commissioner

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 **00915-24 E.M.**

AGENCY DKT. NO. **S648662012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits, and imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's EA benefits, and imposed a six-month EA ineligibility penalty, contending that she failed to comply with her EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 28, 2024, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record remained open to allow for the submission of additional documents by the parties. Documents were submitted by both parties on March 28, 2024, and the record then closed. On April 18, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

EA benefits recipients are required to develop and sign an SP with the Agency. See N.J.A.C. 10:90-6.6(a). Failure to comply with the requirements identified in the SP, without good cause, shall result in the termination of EA benefits and the imposition of a six-month period of EA ineligibility. *Ibid.*

Here, the ALJ found, and the record substantiates, that Petitioner had executed SPs, wherein she agreed, among other things, to weekly conduct ten housing searches, and to provide the Agency with job-search logs as proof of such searches. See Initial Decision at 2-3; see also Exhibits R-1, R-3 and N.J.A.C. 10:90-6.6(a). The ALJ also found, and the record reflects, that the Agency had sent several Verification Lists to Petitioner, reminding her to provide the Agency with her required job-search logs. See Initial Decision at 3, 5; see also Exhibits R-2, R-4. Nevertheless, the ALJ found that Petitioner had failed to comply with her SP, with no good cause credibly shown, by failing to conduct all required job searches and to provide proof of same to the Agency. See Initial Decision at 3-5; see also Exhibits P-4, P-5, P-6, R-1, R-6, and N.J.A.C. 10:90-6.6(a). Moreover, Petitioner acknowledged that she did not submit all required job-search logs. See Initial Decision at 5. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits was proper and must stand. See Initial Decision at 5; see also Exhibit R-7. I agree. Further, as I agree with the ALJ's conclusion, that the EA termination was proper, in accordance with regulatory authority set forth at N.J.A.C. 10:90-6.6(a), I hereby affirm the Agency's imposition of a six-month EA ineligibility penalty upon Petitioner. See Initial Decision at 5; see also Exhibit R-7, and N.J.A.C. 10:90-6.6(a). The Initial Decision is modified to reflect this finding.



By way of comment, Petitioner is advised that her six-month EA ineligibility penalty shall run from December 18, 2023, the effective date of the EA termination, through June 18, 2024. See Exhibit R-7.

By way of further comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her current needs, including Social Services for the Homeless.

Accordingly, the Initial Decision is hereby MODIFIED, and the Agency's determination is AFFIRMED, as outlined above.

Officially approved final version. May 28, 2024

Natasha Johnson
Assistant Commissioner

