



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

CAROLE JOHNSON
Commissioner

SHEILA Y. OLIVER
Lt. Governor

TRENTON, NJ 08625-0716

NATASHA JOHNSON
Director

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 04573-18 E.G.

AGENCY DKT. NO. C134477015 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits contending that she has exhausted her lifetime limit of EA benefits, plus all available extensions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 27, 2018, the Honorable Edward J. Delanoy, Jr., Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On May 11, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner had used 49 months of EA benefits prior to reapplying for EA benefits on February 23, 2018. See Initial Decision at 2; see also Exhibits R-2, R-3, and R-4. After 22 months of EA benefits were paid back from Petitioner's receipt of a Supplemental Security Income ("SSI") lump sum payment, the remaining monthly amount of EA benefits granted to Petitioner totaled 27 months. See Initial Decision at 2; see also Division of Family Development Instruction ("DFDI") 17-10-06. Pending review of Petitioner's application for an extension of EA benefits, Petitioner was placed in a temporary shelter while waiting for her Family Violence Option ("FVO") assessment to be completed, as recent domestic violence ("DV") had been disclosed in Petitioner's application for EA benefits. See Initial Decision at 2; see also Exhibits R-2, R-5, R-6, and N.J.A.C. 10:90-20.1. On March 9, 2018, after attending her FVO assessment, Petitioner was not recommended for a waiver for continued EA benefits because it was determined that she had no current DV concerns. See Initial Decision at 2; see also Exhibit R-8, and DFDI 12-12-05 at 12. Thereafter, the Agency terminated Petitioner's EA benefits, effective March 25, 2018, because she had exhausted her lifetime limit of EA benefits, plus all available extensions, and did not qualify for an FVO waiver of the EA benefits time limit. See Initial Decision at 2; see also Exhibit R-1, and N.J.A.C. 10:90-6.4(a), (b), (c), (f), and DFDI 12-12-05 at 14-15. The ALJ found, and the record substantiates, that Petitioner has exhausted her lifetime limit of EA benefits, plus all available extensions, and was ineligible for any further extensions of EA benefits. See Initial Decision at 3; see also Exhibits R-3, R-4, and N.J.A.C. 10:90-6.4(a), (b), (c), (f). Based on the foregoing, the ALJ concluded that Petitioner was ineligible for any further extensions of EA benefits, and that the Agency's termination of Petitioner's EA benefits was, therefore, proper and must stand. See Initial Decision at 3-4; see also Exhibit R-1, and N.J.A.C. 10:90-6.4(a), (b), (c), (f). I agree.

No Exceptions to the Initial Decision were received.

As the Director of DFD, 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.



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, including Social Services for the Homeless.

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

Officially approved final version.

MAY 31 2018

Natasha Johnson
Director

