



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 05987-18 J.C.

AGENCY DKT. NO. S604248012 (MIDDLESEX COUNTY BD. 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 he failed to comply with his EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 11, 2018, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record remained opened to allow Petitioner to provide supplemental documentation. On May 14, 2018, Petitioner provided supplemental documents, the Agency was permitted to respond to Petitioner's submission by May 22, 2018, and the record then closed.

On June 12, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on December 15, 2017, Petitioner applied for EA benefits. See Initial Decision at 2; see also Exhibit R-A. On that same date, Petitioner entered into a SP wherein he agreed, among other things, to complete and provide affordable housing searches. See Exhibit R-F. On March 28, 2018, Petitioner applied for an extension of EA benefits, and entered into another SP requiring him to find affordable housing by April 15, 2018. See Initial Decision at 2-3; see also Exhibits R-C, R-D. Additionally, on March 28, 2018, Petitioner was provided a list of three available room rentals and was directed to make appointments to see the rooms, to submit the W-9 form and the New Apartment Information form by April 6, 2018, and to secure an affordable room by April 15, 2018. See Initial Decision at 3-4; see also Exhibit R-G at 1-2. The ALJ found that Petitioner did not inquire about two of the three available rooms, as required by his SP, and that he opted not to visit one of the rooms because he believed his religion conflicted with that of the landlord. See Initial Decision at 9. The ALJ further found that Petitioner did not provide good cause for his failure to comply with the terms of his SP. See Initial Decision at 10. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits was proper and must stand, and imposed upon Petitioner a six-month period of ineligibility for EA benefits. See Initial Decision at 10, 11; see also Exhibit R-O, and N.J.A.C. 10:90-6.6(a). I agree.

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.

By way of comment, as Petitioner has been receiving continued assistance pending the outcome of this hearing, the six-month EA ineligibility penalty shall begin to run as of the date of the issuance of this Final Agency Decision. See N.J.A.C. 10:90-6.6(a).

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.



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

Officially approved final version.

Natasha Johnson

Director

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