



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 07054-18 S.L.

AGENCY DKT. NO. C142170015 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits, and the 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 Petitioner violated her EA Service Plans ("SPs") because she had sufficient income to pay her portion of housing expenses but failed to do so, and because she failed to conduct housing searches. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 26, 2018, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On July 13, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on February 15, 2018, the Agency approved Petitioner's application for EA benefits in the form of temporary shelter at a motel, contingent upon her compliance with her SP. Petitioner signed a number of SPs, all requiring her to conduct, and provide written proof of, housing searches, and to contribute 30% of her household income to her rent. See Initial Decision at 2; see also Exhibits R-3 through R-7. The ALJ found that there had been no evidence presented to demonstrate that Petitioner could not contribute to her housing costs, and, by her own admission, Petitioner failed to do so, in violation of her SPs. See Initial Decision at 2-3, 6; see also Exhibit R-8. The ALJ further found that Petitioner did not show evidence of housing searches, also in violation of her SPs. See Initial Decision at 4-5, 6; see also N.J.A.C. 10:90-6.6(a)(1)(iii)(1). 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 6; see also Exhibit R-1, and N.J.A.C. 10:90-6.5(a), -6.6(a). I agree.

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 ALJ's Initial Decision and the record, and I concur with the ALJ's final conclusion and hereby adopt the Findings of Fact and Conclusions of Law in this matter.



By way of comment, as the ALJ found that Petitioner violated her SPs, I agree with the Agency's imposition of the six-month EA ineligibility penalty. See Exhibit R-1; see also N.J.A.C. 10:90-6.6(a). As Petitioner has been receiving continued assistance throughout the pendency of this matter, the six-month EA ineligibility penalty shall begin to run as of the date of the issuance of this Final Agency Decision.

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

Officially approved final version.

AUG 27 2018

Natasha Johnson

Director

