



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 08259-18 V.P.

AGENCY DKT. NO. C095926011 (MERCER 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 failed to comply with her EA service plan ("SP") by not completing housing searches. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 10, 2018, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On July 31, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, Petitioner began receiving EA benefits in the form of motel placement in October 2017, for herself and her four children. See Initial Decision at 2. In January of 2018, the family was moved to a new motel, and Petitioner signed an SP, wherein she agreed to provide monthly searches for affordable housing by a certain date each month. See Initial Decision at 2; see also Exhibit R-2. Petitioner submitted housing search information every month, late, from January through April 2018, but no reports for May and June 2018. See Initial Decision at 3. In May of 2018, the Agency assisted Petitioner by providing a list of nine affordable rentals for Petitioner to contact. See Initial Decision at 3; see also Exhibit R-3. Petitioner did not respond to the Agency, even when the Agency attempted to follow up on the status of her housing search. See Initial Decision at 4. As a result, on June 4, 2018, the Agency terminated Petitioner's EA benefits effective June 10, 2018, contending that Petitioner did not take reasonable steps to resolve her emergency, and that she failed to comply with her SP. See Initial Decision at 4; see also Exhibit R-1, and N.J.A.C. 10:90-6.6(a). Petitioner argued that her memory and mental health were poor, and that she misunderstood her obligations. See Initial Decision at 5. After weighing the credibility of the witnesses, and the evidence presented, the ALJ concluded that Petitioner failed to comply with her SP, without good cause, and that the Agency's termination of Petitioner's EA benefits was proper and must stand. See Initial Decision at 7-8; see also Exhibit R-1, and N.J.A.C. 10:90-6.6(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 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, because I concur with the ALJ's finding that Petitioner failed to comply with her SP, without good cause, I hereby impose upon her a six-month period of ineligibility for EA benefits. See Initial Decision at 2-3; see also N.J.A.C. 10:90-6.6(a). As Petitioner has been receiving continued assistance pending the outcome of this hearing, her six-month EA ineligibility penalty shall begin to run as of the date of the issuance of this Final Agency Decision.



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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 ADOPTED, and the Agency's determination is AFFIRMED.

Officially approved final version.

SEP 06 2018

Natasha Johnson
Director

