



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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CAROLE JOHNSON
Commissioner

SHEILA Y. OLIVER
Lt. Governor

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 04221-18 W.H.

AGENCY DKT. NO. S573896009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits due to Petitioner's non-compliance with his EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for April 24, 2018, but was adjourned. The matter was then rescheduled for May 15, 2018, but was again adjourned. Finally, on May 31, 2018, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On June 1, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on August 15, 2017, Petitioner executed an SP wherein he agreed, among other things, to complete 20 job searches per week. See Initial Decision at 2; see also Exhibit R-1 at 3. The record further reflects that in January 2018, Petitioner completed 40 job searches, and in February 2018, Petitioner completed 36 job searches. See Initial Decision at 2; see also Exhibits P-1 and P-2. The ALJ found that had Petitioner performed 20 job searches per week, there would have been a total of 80 job searches completed for the month. See Initial Decision at 3. Based on the foregoing, the ALJ concluded that Petitioner failed to comply with his SP, without good cause, and therefore, that the Agency's termination of Petitioner's EA benefits was proper and must stand. *Ibid.*; see also Exhibit R-2 at 1-4, and N.J.A.C. 10:90-6.6(a). I agree.

No Exceptions to the Initial Decision were received.

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 conclusion that Petitioner failed to comply with his SP, without good cause, I hereby impose upon Petitioner a six-month period of ineligibility for EA benefits. See Exhibit R-2 at 2; see also N.J.A.C. 10:90-6.6(a). Further, because Petitioner has been receiving continued assistance pending the outcome of this hearing, his EA benefits ineligibility penalty shall begin to run as of the date of the issuance of this Final Agency Decision.

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

JUN 13 2018

