



State of New Jersey

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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 02008-19 K.W.

AGENCY DKT. NO. C684069007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of an extreme hardship extension of Emergency Assistance ("EA") benefits. The Agency denied Petitioner an extension of EA benefits, contending that she failed to comply with her 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 February 26, 2019, but was adjourned to allow Petitioner the opportunity to compile additional documentary evidence. On March 4, 2019, the Honorable Susana E. Guerrero, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On March 21, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner executed and reviewed her SP on October 23, 2018, and amended same on November 2, 2018, wherein she agreed, among other things, to conduct ten housing searches and ten job searches per week, and to provide the Agency with proof of same, and to provide proof of submitted subsidized housing applications. See Initial Decision at 3; see also Exhibit R-2 at 1-4. However, Petitioner failed to conduct the required searches and failed to apply for subsidized housing, and as such, on January 16, 2019, the Agency denied Petitioner an extension of EA benefits. See Initial Decision at 2; see also Exhibit R-1, and N.J.A.C. 10:90-6.6(a). The ALJ found that, even after the Agency had granted Petitioner additional time to conduct the required searches, prior to its denial of an extension of EA benefits, Petitioner had still failed to comply with her SP, without good cause. See Initial Decision at 3-5; see also Exhibits P-3, R-5. Specifically, the ALJ found that Petitioner had failed to conduct the required number of housing searches, had not applied for subsidized housing since March 2017, and had only conducted two job searches since October 2018. See Initial Decision at 3-5; see also Exhibits P-1, R-2 at 1-4, R-6. Based on the foregoing, the ALJ concluded that Petitioner failed to comply with her SP, without good cause, and that the Agency's denial of an extreme hardship extension of EA benefits to Petitioner was proper and must stand. See Initial Decision at 5-6; see also Exhibit R-1, 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 agree with the ALJ's conclusion 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 5-6; see also N.J.A.C. 10:90-6.6(a). Petitioner's six-month EA ineligibility penalty shall run from January 16, 2019, the date of the Agency's denial, through July 15, 2019. See Exhibit R-1.



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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.

Natasha Johnson
Director

APR 16 2019

