



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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Commissioner

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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 02869-19 S.N.

AGENCY DKT. NO. C073224008 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits, the denial Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency denied Petitioner WFNJ/TANF benefits, contending that she failed to comply with the Supportive Assistance for Individuals and Families ("SAIF") program; and denied Petitioner EA benefits, and imposed a six-month EA ineligibility penalty, contending that she caused her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 1, 2019, the Honorable Tama B. Hughes, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On March 4, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner's WFNJ/TANF benefits were previously terminated for failure to comply with SAIF. See Initial Decision at 2; see also Exhibit TANF/R-1 at 3. Thereafter, Petitioner reapplied for WFNJ/TANF benefits, and as a condition of eligibility for said benefits, Petitioner was required to come into compliance with SAIF. See Initial Decision at 2; see also Exhibit TANF/R-1 at 12-13, 23-37. However, even though the Agency handed Petitioner a "Notice of Verification" wherein she was informed of all the steps required for approval of her WFNJ/TANF benefits application, she failed to come into compliance with SAIF, and the Agency denied WFNJ/TANF benefits to Petitioner. See Initial Decision at 2-3; see also Exhibit TANF/R-1 at 10, 12-13. The ALJ found that Petitioner did not have good cause for failing to come into compliance with SAIF, and as such, that the Agency's denial of WFNJ/TANF benefits to Petitioner was proper and must stand. See Initial Decision at 4-6; see also Exhibit TANF/R-1 at 12-13, and N.J.A.C. 10:90-2.20(a), (d). I agree.

Petitioner also applied for EA benefits, however, the Agency denied said benefits and imposed a six-month EA ineligibility penalty, because Petitioner failed to pay her subsidized housing rent, resulting in her eviction, and thereby causing her own homelessness. See Initial Decision at 3-4; see also Exhibit EA/R-1 at 2, 13-20, and N.J.A.C. 10:90-6.1(c)(3). The ALJ found that Petitioner did not show good cause for failing pay her rent, and as such, the Agency's denial of EA benefits to Petitioner, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 4, 6-7; see also Exhibit EA/R-1 at 2, and N.J.A.C. 10:90-6.1(c)(3)(ii). I also 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.



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By way of comment, Petitioner's six-month EA penalty shall run from December 10, 2018, through June 9, 2019. See Exhibit EA/R-1 at 2.

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

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