



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 01349-19 S.W.

AGENCY DKT. NO. C242423009 (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, 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. On February 19, 2019, the Honorable Susana E. Guerrero, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On March 5, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination.

Here, the record reflects that Petitioner was receiving EA benefits, in the form of Temporary Rental Assistance, which were terminated on January 4, 2019. See Initial Decision at 2; see also Exhibit R-1. Petitioner's EA benefits were terminated for failure to comply with her SP by failing to attend meetings, failing to provide Supplemental Security Income ("SSI") benefits application status updates, and for failing to provide housing searches, among other reasons. See Initial Decision at 2; see also Exhibits R-1, R-2, R-3. Petitioner did not dispute that she had failed to appear for appointments, stating that she called the Agency to inform them that she was unable to attend. See Initial Decision at 3. However, the ALJ found that Petitioner's testimony in that regard was not credible. Ibid. Additionally, Petitioner conceded that she did not provide SSI application status updates, or make an appointment with legal aid, and did not provide housing searches. See Initial Decision at 3. Based on the foregoing, the ALJ found that the Agency's termination of Petitioner's EA benefits, for failure to comply with her SP, was proper and must stand. See Initial Decision at 3-5; see also Exhibit R-1, and N.J.A.C. 10:90-6.6(a). I agree.

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.

Further, because I agree with the ALJ that Petitioner violated her SP, I hereby impose upon her a six-month period of ineligibility for EA benefits. As Petitioner has been receiving continued assistance pending the outcome of this fair hearing, Petitioner's six-month EA ineligibility penalty shall begin to run as of the date of issuance of this Final Agency Decision.

By way of 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.

APR - 1 2019

Natasha Johnson

Director

