



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
P.O. Box 716
TRENTON, NEW JERSEY 08625

Chris Christie
Governor

Kim Guadagno
Lt. Governor

Elizabeth Connolly
Acting Commissioner

Natasha Johnson
Director
Tel. (609) 588-2400

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 17199-15 E.V.

AGENCY DKT. NO. C223979 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's termination of her Emergency Assistance ("EA") benefits in the form of motel placement, and the imposition of a six month EA penalty. The Agency terminated Petitioner's EA benefits because it determined that she had violated the terms of her service plan ("SP"), without good cause, and imposed a six-month EA penalty. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 9, 2015, the Honorable John P. Scollo, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On December 14, 2015, the ALJ issued an Initial Decision, affirming the Agency's determination. The record shows that Petitioner was placed in a motel by the Agency, and under the terms of her SP, she was prohibited from having overnight visitors. See Initial Decision at 2; see also Exhibit R-3. The ALJ found that Petitioner was aware of the motel rules, but nevertheless, allowed overnight visitors in her room. See Initial Decision at 4. Accordingly, the ALJ concluded that the Agency properly terminated Petitioner's EA benefits, and imposed a six month EA penalty, effective October 8, 2015, because she violated the terms of her SP, without good cause. *Id.* at 5; see also N.J.A.C. 10:90-6.6(a).

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 in this matter.

By way of comment, as it appears from the record that the named defendant on Petitioner's Final Restraining Order had contact with Petitioner and her child, a copy of the Initial and Final Decisions shall be forwarded to the Division of Child Protection and Permanency ("DCP&P"), f/k/a DYFS, to ensure the health, safety, and welfare of Petitioner's child. See Initial Decision at 4; see also Exhibit R-5.

By way of further comment, as it appears from the record that the Petitioner is a victim of domestic violence, if it has not done so already, the Agency shall refer the Petitioner for a Family Violence Option risk assessment in accordance with N.J.A.C. 10:90-20.1 et seq.

Accordingly, the Initial Decision in this matter is hereby ADOPTED and the Agency's determination is AFFIRMED.

Signed Copy on File
at DFD, BARA

JAN 13 2018

Natasha Johnson
Director