

DEPARTMENT OF HUMAN SERVICES

Chris Christie Governor

Kim Guadagno Lt. Governor Division of Family Development P.O. Box 716 TRENTON, NEW JERSEY 08625

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 16095-15 J.C.

AGENCY DKT. NO. C064958 (CUMBERLAND COUNTY BD OF SOC SVCS.)

Petitioner appeals from the Respondent Agency's denial of an extension of Emergency Assistance ("EA") benefits under the extreme hardship extension, and subsequent termination of her EA benefits. The Agency terminated Petitioner's EA benefits contending that she had exhausted her 12-month lifetime limit of EA benefits, and 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 November 12, 2015, the Honorable W. Todd Miller, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On November 19, 2015, the ALJ issued an Initial Decision, reversing the Agency's determination. The ALJ found that Petitioner complied with her SP, completing all the applications for housing, and providing the Agency with all the confirmations required pursuant to her SP. See Initial Decision at 2-3. Additionally, the ALJ found that Petitioner is eligible for an extension of EA benefits under the extreme hardship extension. Id. at 4; see also N.J.A.C. 10:90-6.4. Based on the foregoing, the ALJ found that the Agency improperly terminated Petitioner's EA benefits, and ordered that Petitioner be granted an additional six months of EA benefits. See Initial Decision at 4.

No Exceptions to the Initial Decision were received.

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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.

I agree with the ALJ's finding that Petitioner be granted EA benefits, however, the receipt of those benefits is contingent upon Petitioner continuing to need EA benefits, and otherwise continuing to be eligible for EA benefits in accordance with N.J.A.C. 10:90-6.1 et seq.

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

Signed Copy on File
at DFD, BARA

Natasha Johnson

Director