



## State of New Jersey

### DEPARTMENT OF HUMAN SERVICES

Division of Family Development  
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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 16107-15 K.C.

AGENCY DKT. NO. C124742 (MERCER COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's termination of Emergency Assistance ("EA") in the form of Temporary Rental Assistance ("TRA") under the Housing Hardship Extension ("HHE") pilot program, because Petitioner was sanctioned for non-compliance with her Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") work activity without good cause. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for hearing. On November 17, 2015, the Honorable Morgan Hurley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On December 8, 2015, the ALJ issued an Initial Decision affirming the Agency determination.

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 record in this matter and the ALJ's Initial Decision and, having made an independent evaluation of the record, I hereby ADOPT the ALJ's Initial Decision and AFFIRM the Agency's determination.

WFNJ applicants and recipients must cooperate with WFNJ work requirements as a condition of eligibility. See N.J.A.C. 10:90-2.2(a)(2). "Any applicant who fails at any time to cooperate with any of the WFNJ work activities without good cause shall lose

cash assistance benefits in accordance with the sanction provisions at N.J.A.C. 10:90-4.13.” See N.J.A.C. 10:90-2.2(d). Further, if a WFNJ recipient has incurred a sanction for non-compliance with their work requirement within 12 months of applying for HHE, they are ineligible for EA under the HHE program. See N.J.A.C. 10:90-6.9(c)(1).

The record reflects that, to date, Petitioner has received 24 months of EA/TRA, as well as a 12-month extension of EA/TRA under the HHE pilot program, which extension Petitioner applied for on July 9, 2014. See Initial Decision at 2; see also Exhibits R-2, R-4, and N.J.A.C. 10:90-6.9. Although the Agency advised Petitioner in writing on December 15, 2014, that her current Med-1 Form would expire on February 19, 2015, Petitioner failed to provide a new medical deferral, and failed to attend her mandatory work activity scheduled for March 4, 2015. See Initial Decision at 2; see also Exhibit R-5. As a result, on March 25, 2015, the Agency issued a sanction against Petitioner’s WFNJ benefits effective May 1, 2015, for failure to comply with her mandatory work requirement without providing a current Med-1 Form. See Initial Decision at 2; see also Exhibits R-3 and R-5. On August 3, 2015, the Agency terminated Petitioner’s EA/TRA under HHE because Petitioner was no longer eligible for EA under the HHE program, as she had incurred a sanction for non-compliance with her work activity, without good cause, within 12 months of her application for a HHE extension. See Initial Decision at 2; see also Exhibit R-1 and N.J.A.C. 10:90-6.9(c)(1).

In his Initial Decision, the ALJ found that Petitioner neither attended her required work activity, nor did she provide a current medical referral document before her Med-1 Form expired on February 19, 2015, despite being instructed to do so in writing by the Agency on December 15, 2014. See Initial Decision at 3; see also Exhibit R-5. Based on the foregoing, the ALJ concluded, and I concur, that the Agency’s termination of Petitioner’s EA/TRA was proper and should be affirmed. See Initial Decision at 3; see also N.J.A.C. 10:90-6.9(c)(1).

Accordingly, the Initial Decision is hereby ADOPTED and the Agency’s action is hereby AFFIRMED.

*Signed Copy on File*  
at DFD, BARA

JAN 9 2016

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Natasha Johnson  
Director