



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 6350-15 N.L.

AGENCY DKT. NO. C249654 (PASSAIC COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits because, purportedly, she failed to comply with her shelter's rules, and therefore failed to comply with her service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 26, 2015, the Honorable JoAnn LaSala Candido, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On May 26, 2015, the ALJ issued her Initial Decision, reversing the Agency's determination. Here, the Agency terminated Petitioner's EA benefits because, purportedly, she failed to comply with her SP by revealing the location of the domestic violence shelter, in violation of that shelter's rules. See Initial Decision at 2; see also N.J.A.C. 10:90-6.6(a). Specifically, Petitioner brought a mechanic, who was fixing her car, to the shelter. *Id.* at 3. Petitioner provided the court with a letter from her mechanic to support her contention that he was at the shelter to fix her car. *Ibid.* The ALJ found that the Agency failed to provide any testimony or evidence to support its termination of Petitioner's EA benefits based on a violation of shelter rules and noncompliance with her SP. *Ibid.* Accordingly, the ALJ reversed the Agency's termination of Petitioner's EA benefits, ordered EA benefits retroactive to May 1, 2015, and continued shelter placement until a domestic violence placement could be found. *Id.* at 4.

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No Exceptions to this 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, the Agency is reminded of its responsibilities in representation and presentation of a matter at a plenary hearing before an ALJ, pursuant to N.J.A.C. 10:90-9.12(b).

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

JUN 04 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director