

State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Chris Christie Governor

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

Jennifer Velez Commissioner

Jeanette Page-Hawkins Director Tel. (609) 588-2000

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 12318-14 W.W.

AGENCY DKT. NO. S528566 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals the alleged failure of a settlement in connection with the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of retroactive utility payments. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 5, 2014, the Honorable Leland S. McGee, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence. On February 2, 2015, the ALJ issued an Initial Decision which affirmed the Agency determination.

No exceptions to the Initial Decision were received.

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 ADOPT the Findings of Fact and Conclusions of Law in the Initial Decision and AFFIRM the Agency determination.

The Agency reconsidered its initial denial of EA benefits and agreed to pay certain retroactive utility bills pursuant to the terms of a written settlement agreement. Initial Decision at 2. As a result, the Agency appropriately paid retroactive utility bills in an amount necessary to prevent a shut-off of Petitioner's utilities. N.J.A.C. 10:90-6.3(a)(5); Exhibits R-1 and R-2. The Agency complied with the settlement agreement, and Petitioner presented no evidence of extraordinary circumstances which would support the payment of EA benefits in a greater amount. N.J.A.C. 10:90-6.3(a)(5)(i).

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Accordingly, the Initial Decision is ADOPTED and the Agency determination is AFFIRMED.

MAR 2 0 2015

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director