State of New Jersey

ΓMENT OF HUMAN SERVICES
SION OF FAMILY DEVELOPMENT
CN 716

DEPARTMENT OF HUMAN SERVICES
Division of Family Development
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Acting Commissioner

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Director
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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 277-17 B.K.

AGENCY DKT. NO. C135348 (MERCER 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 contending that he failed to comply with his EA service plan ("SP"), by failing to complete his required weekly housing searches. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 24, 2017, the Honorable Laura Sanders, Acting Director and Chief Administrative Law Judge ("CALJ"), held a plenary hearing, took testimony, and admitted documents.

On February 2, 2017, the CALJ issued an Initial Decision, reversing the Agency's determination. Here, the CALJ found that Petitioner executed an SP wherein he agreed, among other things, to conduct eight housing searches per week, and provide evidence of same to the Agency. See Initial Decision at 2; see also Exhibit R-2. Although Petitioner had failed to complete the requisite amount of housing searches, based on Petitioner's particular circumstances, the CALJ found that Petitioner had good cause for failing to provide said searches. See Initial Decision at 2-3; see also Exhibit P-1. As such, the CALJ reversed the Agency's termination of Petitioner's EA benefits, with a warning to Petitioner that he "absolutely must make the eight housing searches a week or face the loss of EA." See Initial Decision at 4; see also Exhibit R-1, and N.J.A.C. 10:90-6.6(a). I agree.

Exceptions to the Initial Decision were filed by the Agency on February 8, 2017.

As the Director of the Division of Family Development, Department of Human Services, I have considered the CALJ's Initial Decision, and following an independent review of the record, I concur with the CALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law in this matter.

By way of comment, Petitioner is advised that any future failure to comply with the terms of his SP, including the required housing and employment searches, may result in a termination of his EA benefits for a period of six months. See N.J.A.C. 10:90-6.6(a).

By way of further comment, I have reviewed the Agency's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

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

MAR 0 2 2017 *Signed Copy on File*
at DFD, BARA

Natasha Johnson
Director