State of New Jersey
MENT OF HUMAN SERVICES
SION OF FAMILY DEVELOPMENT
CN 716

DEPARTMENT OF HUMAN SERVICES
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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 18096-16 C.V.

AGENCY DKT. NO. V647618 (HUNTERDON COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Petitioner's Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits because he failed to comply with his service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 20, 2016, the Honorable Elia A. Pelios, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On May 2, 2017, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that Petitioner entered into an SP with the Agency on July 1, 2016. See Initial Decision at 2; see also Exhibit R-3. The SP required Petitioner to conduct five housing searches per week beginning on that day; otherwise, his EA benefits would be terminated. Ibid. With only one week of housing searches submitted, on November 17, 2016, the Agency terminated Petitioner's EA benefits for failure to comply with his SP, effective November 30, 2016. See Initial Decision at 2; see also Exhibit R-1. Petitioner's testimony revealed that he understood the SP, and that he did not comply completely and fully with the housing search requirement. See Initial Decision at 3. Based on the foregoing, the ALJ found that Petitioner failed to comply with his SP. Ibid. Therefore, the ALJ concluded that the Agency's termination of Petitioner's EA benefits was proper and should be affirmed. See Initial Decision at 4. I agree.

No Exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the record in this matter and the Initial Decision and, having made an independent evaluation of the record, I concur with the ALJ's Initial Decision and hereby adopt the Findings of Fact and Conclusions of Law in this matter.

By way of comment, because I agree with the ALJ that Petitioner violated his SP, without good cause, I hereby impose a six-month period of EA ineligibility. N.J.A.C. 10:90-6.6(a). As Petitioner has received continued assistance pending the outcome of this fair hearing, his six-month EA penalty will begin to run as of the date of the issuance of this Final Agency Decision.

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

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director