



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT  
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NATASHA JOHNSON  
Director

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 13161-18 J.S.

AGENCY DKT. NO. S609503012 (MIDDLESEX COUNTY BD. 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 refusing to accept permanent affordable housing. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 12, 2018, the Honorable Susan L. Oligati, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On November 2, 2018, the ALJ issue an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner executed an SP, wherein he agreed, among other things, to accept permanent affordable housing if it was offered to him. See Initial Decision at 2-3; see also Exhibit R-B. The Agency found permanent affordable housing for Petitioner, but he refused to accept such housing, stating that "he felt that there were drugs and alcohol at the new location and he did not want to become an alcoholic," and that "he would be safer on the streets." See Initial Decision at 3; see also Exhibit R-F. As a result of Petitioner's refusal of affordable permanent housing, the Agency terminated Petitioner's EA benefits on the basis that he failed to comply with his SP. See Initial Decision at 4; see also Exhibits R-B, R-H, and N.J.A.C. 10:90-6.6(a). Based on the testimony and evidence presented, the ALJ concluded that Petitioner had failed to comply with his SP, without good cause, and that the Agency's termination of Petitioner's EA benefits was proper and must stand. Id. at 4-5; see also Exhibits R-B, R-H, and N.J.A.C. 10:90-6.6(a). I agree. Additionally, as Petitioner had failed to comply with his SP, without good cause, the ALJ imposed upon Petitioner a six-month period of ineligibility for EA benefits. See Initial Decision at 4; see also N.J.A.C. 10:90-6.6(a). I also agree.

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 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.

By way of comment, because Petitioner has been receiving continued assistance pending the outcome of the fair hearing, the six-month EA ineligibility penalty shall begin to run as of the date of the issuance of this Final Agency Decision.

By way of further comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with his current needs, including Social Services for the Homeless.

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



Officially approved final version.

Natasha Johnson  
Director

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