



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
P.O. Box 716
TRENTON, NEW JERSEY 08625

Chris Christie
Governor

Kim Guadagno
Lt. Governor

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 12262-14 A.N.

AGENCY DKT. NO. C151133 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's termination of her Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits because she failed to comply with her service plan. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 25, 2014, the Honorable Michael Antoniewicz, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On December 9, 2014, the ALJ issued an Initial Decision affirming the Agency determination.

Neither party filed Exceptions to the Initial Decision.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the record and the Initial Decision and hereby ADOPT the Initial Decision of the ALJ and AFFIRM the Agency's determination.

The purpose of EA is to meet the needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work related activities without disruption in order to continue on the path to self-sufficiency. See N.J.A.C. 10:90-6.1(a). In order to maintain eligibility for EA benefits, the recipient must take reasonable steps to resolve the emergent situation. N.J.A.C. 10:90-6.6(a). Reasonable steps include, but are not limited to, the recipient participating in the creation of, and complying with, a service plan. *Ibid.* If a recipient fails to comply with the service plan, then the recipient is ineligible for EA benefits for a period of 6 months. *Ibid.*

The record in this matter indicates that Petitioner signed a service plan on July 30, 2014. See Initial Decision at 2; see also Exhibit R-2. One of the terms of the service plan was for Petitioner to pay her share of motel accommodations starting on August 1, 2014. Ibid. Petitioner did not pay the agreed sum, admittedly using those funds to purchase clothes. Id. at 3; see also Exhibit R-3. Petitioner has not presented good cause for her actions. Therefore, the ALJ correctly concluded she was in violation of her service plan for failing to pay her share of the shelter cost. Ibid. Moreover, Petitioner will be subject to a six month period of ineligibility for EA benefits pursuant to N.J.A.C. 10:90-6.6(a).

Based upon the foregoing, I hereby ADOPT the Initial Decision of the ALJ and AFFIRM the Agency's determination in this matter.

JAN 28 2015

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director