



*State of New Jersey*

**DEPARTMENT OF HUMAN SERVICES**

Division of Family Development  
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Elizabeth Connolly  
*Acting Commissioner*

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 637-15 J.V.

AGENCY DKT. NO. GA305239 (CUMBERLAND COUNTY BD OF SOC SVCS.)

Petitioner appeals from Respondent Agency's termination of Emergency Assistance ("EA") benefits because he failed to comply with his EA service plan ("SP"). Because Petitioner appealed, this matter was transmitted to the Office of Administrative Law for a hearing. On February 4, 2015, the Honorable W. Todd Miller, Administrative Law Judge ("ALJ"), held a hearing, took testimony and admitted documents. The ALJ left the record open until February 6, 2015, for Petitioner to submit additional documentation, which he failed to do. On February 10, 2015, the ALJ issued an Initial Decision, which affirmed the Agency's action.

No exceptions to the Initial Decision were received.

As the Acting Director of the Division of Family Development, Department of Human Services, I have reviewed the record and the ALJ's Initial Decision, and I ADOPT the Initial Decision and AFFIRM the Agency 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 six months. *Ibid.*

In the present matter, Petitioner originally applied for EA in the form of Temporary Rental Assistance ("TRA") benefits on March 25, 2013. See Exhibit R-1 at 8 and 16-19. Petitioner signed his EA SP on April 22, 2013. See Exhibit R-1 at 42-46. Petitioner's SP required him, among other requirements, to "[d]o housing search activities as identified in th[e] service plan and give the agency a written report of those activities." See Exhibit R-1 at 43 and 45. Petitioner failed to comply with his SP's subsidized-housing search requirements. See Exhibit R-1 at 3, 14-15, 76, 77, 79, and 80-84. As a result, the Agency terminated Petitioner's EA benefits. See Exhibit R-1 at 2.

Based upon the forgoing facts, the ALJ agreed with the Agency's conclusion "that after twenty-four months of EA assistance, including two EA hardship extensions, EA must be terminated ... [because Petitioner] fail[ed] to apply with the above-mentioned public housing units." See Initial Decision at 3. Specifically, the ALJ found that Petitioner's failure to apply at three affordable housing complexes, without good cause, "after two years of EA, is a substantial service plan violation." See Initial Decision at 4. I agree.

Therefore, I find that the Agency's termination of Petitioner's EA benefits was appropriate. Petitioner is now subject to a six month period of ineligibility for EA benefits. See N.J.A.C. 10:90-6.6(a).

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

**APR - 6 2015**

*Signed Copy on File*

at DFD, BARA

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Natasha Johnson

Director