



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development  
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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 11361-15 L.D.

AGENCY DKT. NO. V688814 (CUMBERLAND 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 she failed to comply with her EA service plan ("SP"), by failing to comply with the rules of her boarding home. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 9, 2015, the Honorable Bruce M. Gorman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On September 18, 2015, the ALJ issued an Initial Decision, reversing the Agency's determination.

No Exceptions to the Initial Decision were received.

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

Here, the record shows that Petitioner executed an SP wherein she agreed to comply with the rules of her boarding home. See Initial Decision at 2. The ALJ found that Petitioner violated the rules of her boarding home by engaging in disorderly conduct, by failing to attend her mental health day program, and by refusing to take her medications. *Ibid.* Consequently, Petitioner was evicted from the boarding home, which was intended to be permanent, affordable housing. *Id.* at 2, 4. Based on the foregoing, the ALJ found that Petitioner failed to comply with her SP. *Id.* at 4.

However, based on Petitioner's mental health background, and her demeanor at the

hearing, the ALJ found that she may not be capable of locating shelter for herself, and reversed the Agency's termination of Petitioner's EA benefits. Ibid. Further the ALJ directed the Agency to refer Petitioner to a program able to help her with her particular needs. Ibid. I agree.

Based upon the record, see Initial Decision at 3, the Agency should refer Petitioner to Projects for Assistance in Transition from Homelessness ("PATH"). Additionally, both cooperation with the referral to PATH and any subsequent directives instituted by PATH shall be incorporated into Petitioner's SP. See N.J.A.C. 10:90-6.1(c)(1)(iii), -6.6(a)(1)(iii). Further, Petitioner is reminded of her obligation to comply with the terms of her SP and that any violations of her SP, without good cause, will result in a termination of her EA benefits, and 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 REVERSED.

DEC 15 2015

*Signed Copy on File*  
at DFD, BARA

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Natasha Johnson  
Director