



DEPARTMENT OF HUMAN SERVICES

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

Chris Christie
Governor

Kim Guadagno
Lt. Governor

Elizabeth Connolly
Acting Commissioner

Natasha Johnson
Director
Tel (609) 588-2400

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 5343-15 L.M.

AGENCY DKT. NO. C053216 (CUMBERLAND COUNTY BD OF SOC SVCS.)

Petitioner appeals from the Respondent Agency's termination of her Emergency Assistance ("EA") benefits in the form of Temporary Rental Assistance ("TRA"). The Agency terminated Petitioner's EA because she failed to comply with her service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 13, 2015, the Honorable W. Todd Miller, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On May 15, 2015, the ALJ issued an Initial Decision affirming the Agency's 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 six months. *Ibid.*

Here, the record reflects that Petitioner's SP required her to enroll with properties in her area that provide affordable housing. See Initial Decision at 2; see also Exhibit R-1 at 12-17. Although Petitioner had several months to enroll in all of the known housing properties in her area cited on a list provided to her by the Agency, she failed to enroll in six of them. See Initial Decision at 2-3; see also Exhibit R-1 at 18. Moreover, Petitioner was offered affordable housing, but then she failed to respond to the landlord who contacted her about the available housing unit and thereafter was removed from the waiting list for affordable housing at that location. See Initial Decision at 3.

The ALJ found that "Petitioner's explanation [for failure to comply with her service plan] was not credible or believable." See Initial Decision at 3. The ALJ concluded that Petitioner failed to comply with the requirements of her SP and ordered the Agency's termination of her EA be affirmed. See initial Decision at 5. I agree.

By way of comment, as ordered by the ALJ, and as I concur, a copy of the Initial Decision and Final Decisions in the matter will be sent to the Division of Child Protection and Permanency ("DCP&P"), f/k/a the Division of Youth and Family Services, to insure that the health, safety and welfare of the Petitioner's children are protected.

As Petitioner has been found to have violated her service plan, Petitioner is ineligible for EA benefits for a six-month period.

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

JUN 02 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director