



## 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 10451-15 L.T.

AGENCY DKT. NO. GA496686 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits and denial of an extension of EA benefits under the Housing Assistance Program ("HAP") pilot. The Agency terminated Petitioner's EA benefits because she had exhausted her lifetime limit of EA benefits. The Agency provided no basis for its denial of an extension of EA benefits under HAP. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 22, 2015, the Honorable Leland S. McGee, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On October 2, 2015, the ALJ issued an Initial Decision, affirming the Agency's determination. The record shows that Petitioner has exhausted her cumulative 12-month lifetime limit of EA benefits. See Initial Decision at 2. The record further indicates that Petitioner applied for an extension of EA benefits under HAP, on April 27, 2015. See *Ibid.*. Thereafter, the Agency sent a notice to Petitioner advising her that she had been denied an extension of EA benefits under HAP, but provided no basis for the denial. *Ibid.* Although the ALJ found this to be improper notice, he ultimately affirmed the Agency's denial because Petitioner was given an opportunity to provide the documents needed to determine HAP eligibility, but failed to provide same. *Id.* at 5. Specifically, Petitioner could not provide proof that she applied for Supplemental Security Income benefits, nor did she provide a MED-1 form indicating

at least a 12-month disability, both of which were required for HAP eligibility. Id. at 3. Based on the foregoing, the ALJ found that the Agency properly terminated Petitioner's EA benefits, and properly denied her an extension of EA benefits under HAP. Id. at 5.

No Exceptions to the Initial Decision were filed.

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 in this matter.

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

OCT 29 2015

*Signed Copy on File*  
at DFD, BARA

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Natasha Johnson  
Director