



*State of New Jersey*

**DEPARTMENT OF HUMAN SERVICES**

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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 2356-15 P.M.

AGENCY DKT. NO. GA387567 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Agency's denial of his application for Emergency Assistance ("EA") benefits in the form of continued Temporary Rental Assistance ("TRA"). The Agency denied Petitioner's continued EA benefits on the basis that Petitioner did not comply with his service plan. Because Petitioner appealed, this matter was transmitted to the Office of Administrative Law for a hearing. On March 24, 2015, the Honorable Michael Antoniewicz, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On April 7, 2015, the ALJ issued his Initial Decision affirming the Agency determination.

Neither party filed exceptions to the Initial Decision.

As Director of the Division of Family Development, Department of Human Services, I have considered the record for this matter, the ALJ's Initial Decision, and the exhibits, and having made an independent evaluation of the record, I ADOPT the Initial Decision and AFFIRM the Agency determination.

The purpose of EA is to meet the emergent needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work activities without disruption and continue on a path to self-sufficiency. N.J.A.C. 10:90-6.1(a). EA recipients are required to develop an EA service plan with the Agency which shall consist of mandatory and non-mandatory activities. N.J.A.C. 10:90-6.6(a).

Failure to comply with the mandatory activities identified in the service plan, without good cause, shall result in termination of EA benefits and a six-month period of ineligibility. N.J.A.C. 10:90-6.6(a).

The record reflects that Petitioner applied to the Agency for EA/TRA for an apartment in Bayonne and signed a service plan on September 25, 2012. See Initial Decision at 2; see also Exhibit R-2. The service plan set forth mandatory responsibilities of Petitioner that included providing the Agency with month-to-month updates from the Social Security Administration ("SSA"). Ibid. The basis for the EA termination was that Petitioner failed to comply with the service plan by not providing month-to-month updates from SSA since June 2014. See Initial Decision at 2; see also Exhibit R-1. At the hearing, Petitioner admitted to the ALJ that he failed to provide the Agency with the information from the SSA as required by his service plan. See Initial Decision at 2.

The ALJ found that the Agency offered sufficiently competent and credible evidence that Petitioner failed to comply with the service plan. See Initial Decision at 2. Therefore, the ALJ concluded that because Petitioner failed to substantially comply with the service plan, he is no longer eligible for EA. See Initial Decision at 3. The ALJ further concluded, and I concur, that the Agency properly denied continued EA benefits to Petitioner pursuant to N.J.A.C. 10:90-6.6(a). Further, Petitioner's non-compliance with the service plan resulted in a six-month period of EA ineligibility. Ibid. Because the effective date of Petitioner's EA termination was November 1, 2014, and the six-month ineligibility period ended on May 1, 2015, Petitioner may now re-apply for EA benefits.

Accordingly, the Initial Decision is hereby ADOPTED and the Agency determination is hereby AFFIRMED.

MAY 13 2015

*Signed Copy on File*  
at DFD, BARA

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Natasha Johnson  
Director