



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 5318-15 B.H.

AGENCY DKT. NO. C009951 (BURLINGTON COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of temporary rental assistance ("TRA") and furniture voucher. The Agency denied Petitioner TRA because she has sufficient income to pay her rent, and denied her a furniture voucher because she failed to prove the need for new furniture. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 1, 2015, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On July 9, 2015, the ALJ issued an Initial Decision, which affirmed the Agency's action.

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 AFFIRM the Agency's determination.

Pursuant to N.J.A.C. 10:90-6.1(a)(1), EA shall be made available "[w]hen shelter costs equal or exceed total recorded income to the [Work First New Jersey] or [Supplemental Security Income ("SSI")] assistance unit and the recipient is unable to document other sources of income, for example, loans from relatives, which enable the individual or family to meet monthly housing/living expenses"

Types of EA that may be provided include, but are not limited to, allowances to obtain essential house furnishings. See N.J.A.C. 10:90-6.3(4)(i). Additionally, when an item which is essential for the recipient's health and well-being, such as a refrigerator wears out, EA funds may appropriately be used to replace it. See N.J.A.C. 10:90-6.3(4)(ii).

Here, the record shows that Petitioner's combined SSI and earned income exceeded her shelter costs. See Initial Decision at 2. Moreover, the record indicates that although Petitioner had sufficient income to pay her rent for April, May, and June, she failed to do so, and provided no testimony as to why her rent was not paid. *Ibid.* Therefore, the ALJ found that the Agency properly denied Petitioner EA benefits. See N.J.A.C. 10:90-6.1(a)(1). However, the ALJ opined that Petitioner's earned income was seasonal, and as such, she may be eligible for EA benefits based upon a change in her earned income over the summer months, and is, accordingly, without prejudice to reapply for EA benefits. *Id.* at 3. I concur with the ALJ.

Additionally, Petitioner was denied a furniture voucher because, according to Agency testimony, she failed to provide it with proof regarding the necessity for new furniture. *Id.* at 2. Of note, there is no further discussion of this issue in the Initial Decision. However, as the record is devoid of any testimony or documentary evidence from Petitioner disputing the Agency's testimony, I find that it properly denied Petitioner's request for a furniture voucher.

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

Signed Copy on File
at DFD, BARA

JUL 16 2015

Natasha Johnson
Director