



State of New Jersey

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 12876-15 K.C.

AGENCY DKT. NO. GA249585 (CAMDEN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits and Emergency Assistance ("EA") benefits. The Agency denied Petitioner WFNJ/GA benefits because she was over the income eligibility level, and denied EA benefits because she was not a WFNJ or Supplemental Security Income ("SSI") recipient, and her Unemployment Insurance Benefits ("UIB") income exceeded her shelter costs. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 8, 2015, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On October 15, 2015, the ALJ issued an Initial Decision, which affirmed the Agency's action. The record shows that Petitioner receives UIB in the amount of \$348 per week. See Exhibit R-1 at 15. Additionally, the record shows that Petitioner's motel rental is \$250 per week. See Initial Decision at 2. Based on the foregoing, the ALJ found that Petitioner's UIB exceeded her housing costs, and, accordingly, affirmed the Agency's denial of EA benefits. See Initial Decision at 2-3; see also N.J.A.C. 10:90-6.1(a)(1).

No Exceptions to the Initial Decision were received.

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.

By way of comment, while not addressed by the ALJ, based on an independent review of the record, it is clear that Petitioner's UIB exceeds the maximum allowable income level of \$210 for WFNJ/GA eligibility, see N.J.A.C. 10:90-3.5(a), thereby making her ineligible for WFNJ/GA benefits, and in turn, EA benefits. See N.J.A.C. 10:90-6.2 (stating that only WFNJ cash assistance recipients and SSI recipients are eligible for EA benefits). Petitioner may reapply for WFNJ/GA benefits should her circumstances change.

The Agency shall refer the Petitioner to any and all programs or agencies which may assist her with her needs.

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

Signed Copy on File

NOV 10 2015

at DFD, BARA

Natasha Johnson
Director