



## 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 8959-15 K.G.

AGENCY DKT. NO. V543912 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits because he had sufficient income to pay his security deposit, and monthly rent. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 23, 2015, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On June 23, 2015, the ALJ issued her Initial Decision, affirming the Agency's determination. Here, Petitioner was moving into an apartment and was seeking EA benefits in the form of a security deposit and first month's rent. See Initial Decision at 2. The record shows that Petitioner's Supplemental Security Income ("SSI") is \$764.25 per month, the required security deposit is \$219, and the required first month's rent is \$172. Ibid. Based on the foregoing, the ALJ found that Petitioner has sufficient income to pay for the security deposit and first month's rent, and therefore, the Agency properly denied Petitioner EA benefits. Ibid.; see also N.J.A.C. 10:90-6.1(a)(1) (stating that EA shall be made available "[w]hen shelter costs equal or exceed total recorded income to the [ ] SSI assistance unit . . . .")

No Exceptions to this 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.

**JUL -1 2015**

*Signed Copy on File*  
at DFD, BARA

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Natasha Johnson  
Director