



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 4072-15 K.W.

AGENCY DKT. NO. C020849 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits because she has sufficient funds to pay her housing costs. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 8, 2015, the Honorable Patricia M. Kerins, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On May 27, 2015, the ALJ issued her Initial Decision, affirming the Agency's determination. The ALJ found that Petitioner's income exceeds her cost of housing, and therefore, pursuant to N.J.A.C. 10:90-6.1(a)(1), found her ineligible for EA benefits. See Initial Decision at 2-3. Specifically, Petitioner's income is \$784.25 per month in Supplemental Security Income and Retirement Survivors Disability Insurance, and her monthly rent is \$639, plus utilities of \$38. *Id.* at 2, 3. Therefore, Petitioner has sufficient income to pay her housing costs.

Exceptions to this Initial Decision were filed by the Agency on May 29, 2015.

A Response to the Agency's Exceptions was filed by Legal Services on June 1, 2015.

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, because Petitioner's income exceeds her cost of housing, she is

currently ineligible for an extension of EA benefits under the extreme hardship extension or under the Housing Assistance Program. However, should her circumstances change, she may reapply for EA benefits, provided she continues to need EA benefits and is otherwise eligible for EA in accordance with N.J.A.C. 10:90-6.1, -6.4(b) and -6.10.

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

Signed Copy on File

at DFD, BARA

JUN 04 2015

Natasha Johnson
Director