



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Jeanette Page-Hawkins
Director
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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 8159-14 A.C.

AGENCY DKT. NO. GA558324 (SALEM COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") in the form of retroactive and prospective utility and Temporary Rental Assistance ("TRA"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On Jul 28, 2014, the Honorable W. Todd Miller, Administrative Law Judge ("ALJ"), held a hearing, took testimony and admitted documents. On August 7, 2014, the ALJ issued an Initial Decision which affirmed the Agency determination.

Neither party submitted exceptions.

As the Director of the Division of Family Development, Department of Human Services, I independently reviewed the record and hereby ADOPT the Initial Decision and AFFIRM the Agency determination.

Petitioner receives Work First New Jersey/General Assistance ("WFNJ/GA") and Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits.

Since August 2013, Petitioner and his adult son have lived in a three bedroom home, apparently under a lease agreement with the estate of his decedent mother. The home is currently for sale, and Petitioner does not have a right to remain if and when it is conveyed to a third-party.

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Petitioner's \$726.00 rent is eight months in arrears, while utility arrearages total more than \$1,800.00. Electric service, in the name of the estate, was terminated in April 2014.

Petitioner is ineligible for EA because he is neither homeless nor imminently homeless. N.J.A.C. 10:90-6.1(a); -6.3(a)(1)(ii). Regardless, Petitioner's housing is not a suitable EA placement, in part because it is too large for a single adult individual. N.J.A.C. 10:90-6.3(a)(1). Moreover, under the totality of the circumstances, there is insufficient evidence to support payment of retroactive TRA and utilities in amounts greater than those authorized by N.J.A.C. 10:90-6.3(a)(5).

Petitioner may reapply for EA if his individual circumstances change.

For the foregoing reasons, I ADOPT the Initial Decision and AFFIRM the Agency determination.

SEP 29 2014 *Signed Copy on File*
at DFD, BARA

Jeanette Page-Hawkins
Director