



*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 9294-14 P.F.

AGENCY DKT. NO. GA556444 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from Respondent Agency's denial of her application for Emergency Assistance ("EA") in the form of back rent and Temporary Rental Assistance ("TRA"). The Agency denied Petitioner's application for EA as the Agency stated that Petitioner's apartment was unaffordable, as it was above Fair Market Rent ("FMR"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 1, 2014, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On August 4, 2014, the ALJ issued an Initial Decision which affirmed the Agency determination. The ALJ noted that Petitioner had been gainfully employed until October of 2013, when she was laid off from her employment. See Initial Decision at 2. Petitioner has fallen behind in her rent since May 2014. Ibid. The ALJ agreed with the Agency that Petitioner's current rent was above FMR, and therefore, the Agency denial of EA/TRA was appropriate. See *id.* at 3. The ALJ noted, however, that Petitioner could re-apply if she located another apartment within FMR. Ibid; see also N.J.A.C. 10:90-6.3(a)(7) ("The Agency may authorize TRA when the total cost of housing inclusive of basic utilities is equal to or below the current FMR ....").

Neither party filed Exceptions to the Initial Decision.

As the Director of the Division of Family Development, Department of Human Services, I have considered the Initial Decision and following an independent review of the record, I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusions of Law in this matter.

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

AUG 12 2014

*Signed Copy on File*  
at DFD, BARA

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Jeanette Page-Hawkins  
Director