



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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TRENTON, NJ 08625-0716

NATASHA JOHNSON
Director

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 08532-18 D.G.

AGENCY DKT. NO. C223264002 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of Temporary Rental Assistance ("TRA"). The Agency denied Petitioner EA benefits contending that he failed to provide the requested documentation required to determine eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 2, 2018, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On that same date, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that, at the time Petitioner applied for EA benefits on April 18, 2018, Petitioner owed seven months back rent. See Initial Decision at 2, 3. Therefore, as a condition of eligibility for EA/TRA benefits in the form of back rent, the Agency required that Petitioner provide, among other things, a notarized letter from his landlord stating that the landlord would accept three months back rent and forgive the remaining balance. See Initial Decision at 2; see also Exhibit R-1 at 2, and N.J.A.C. 10:90-6.3(a)(5). However, Petitioner provided a letter which stated the amount of back rent owed and that Petitioner was responsible for any balance not paid by the Agency. See Initial Decision at 4; see also Exhibit R-1 at 1. The ALJ found that the letter provided by Petitioner did not waive any rent owed, and as such, Petitioner had not provided the documentation required by the Agency. *Ibid.* Therefore, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 5; see also Exhibit R-1 at 3, and N.J.A.C. 10:90-6.3(a)(5). I agree.

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 Conclusions of Law.

By way of comment, should Petitioner's circumstances change, he is without prejudice to reapply for EA benefits, provided he continues to need such benefits, and is otherwise eligible for same. See N.J.A.C. 10:90-6.1 et seq.



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

Officially approved final version.

SEP 11 2011

Natasha Johnson

Director

