



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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Commissioner

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NATASHA JOHNSON
Assistant Commissioner

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 03272-20 M.R.

AGENCY DKT. NO. C189930009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits, contending that she has sufficient income to pay her own housing costs. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 2, 2020, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. Also on July 2, 2020, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Pursuant to N.J.A.C. 10:90-6.1(a)(1), EA benefits shall be made available "[w]hen shelter costs equal or exceed total recorded income to the WFNJ or SSI assistance unit and the recipient is unable to document other sources of income, for example, loans from relatives, which enable the individual or family to meet monthly housing/living expenses"

Here, the ALJ found, and the record substantiates, that Petitioner's monthly income is \$1,052.19 in earned income and \$378.33 in Supplemental Security Income benefits for her son, totaling \$1,430.52. See Initial Decision at 2; see also Exhibits P-1 at 1-4, R-1 at 6. The ALJ also found that Petitioner's monthly rent is \$1,300, which Petitioner did not dispute. See Initial Decision at 2. Based on the foregoing, the ALJ concluded that Petitioner had available funds to pay her monthly rent and that the Agency's termination of Petitioner's EA benefits, effective February 10, 2020, was proper and must stand. See Initial Decision at 4; see also Exhibit R-1 at 1-5; see also N.J.A.C. 10:90-6.1(a)(1), and DFD Instruction 20-07-03. I agree.

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



Officially approved final version.

SEP - 1 2020

Natasha Johnson
Assistant Commissioner

