



State of New Jersey

PHILIP D. MURPHY  
Governor

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716

SARAH ADELMAN  
Acting Commissioner

SHEILA Y. OLIVER  
Lt. Governor

TRENTON, NJ 08625-0716

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 10995-20 D.S.

AGENCY DKT. NO. C006924018 (SOMERSET COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of ("EA") benefits. The Agency terminated Petitioner's EA benefits, contending that her monthly income exceeds her monthly housing costs, and because she is no longer a Supplemental Security Income ("SSI") benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 2, 2021, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On March 9, 2021, 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, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

N.J.A.C. 10:90-6.2(a) provides that only Work First New Jersey ("WFNJ") cash recipients and Supplemental Security Income ("SSI") recipients are eligible for EA benefits.

Here, the record reflects, and Petitioner acknowledged, that she receives \$348 per month in Retirement, Survivors, and Disability Insurance ("RSDI") benefits, and \$1,001 a month in Unemployment Insurance Benefits ("UIB"), totaling \$1,349 in monthly household income. See Initial Decision at 2; see also Exhibit R-1 at 9-15, 16. The record also reflects that Petitioner's monthly rent is \$1,100. See Exhibit R-1 at 1, 9. Based on the foregoing, the ALJ found that Petitioner's monthly income exceeds her monthly housing costs, and as such, she is ineligible for EA benefits. See Initial Decision at 2-3; see also N.J.A.C. 10:90-6.1(a)(1). Accordingly, the ALJ concluded that the Agency's termination of Petitioner's EA benefits was proper and must stand. See Initial Decision at 3; see also Exhibit R-1 at 2-6. I agree.

Additionally, the record reflects that the Agency also terminated Petitioner's EA benefits because she is not a Work First New Jersey ("WFNJ") benefits recipient, and she is no longer a Supplemental Security Income ("SSI") benefits recipient, due to her receipt of UIB. See Exhibit R-1 at 2-6. Based on an independent review of the record, I find that Petitioner is not a WFNJ benefits recipient and is no longer



an SSI benefits recipient, and as such, she is ineligible for EA benefits. See Exhibit R-1 at 17, 31-35, see also N.J.A.C. 10:90-6.2(a). Therefore, I find that the Agency's termination of Petitioner's EA benefits, on that basis, was proper and must stand. See Exhibit R-1 at 2-6. The Initial Decision is modified to reflect this finding.

By way of comment, Petitioner may reapply for EA benefits at such time as her UIB ends.

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

APR - 1 2021

Officially approved final version.

---

Natasha Johnson  
Assistant Commissioner

