



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT

SARAH ADELMAN
Acting Commissioner

SHEILA Y. OLIVER
Lt. Governor

PO BOX 716
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 04553-21 K.M.

AGENCY DKT. NO. C090584018 (SOMERSET COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits, in the form of Temporary Rental Assistance ("TRA"), for a security deposit and three months rent. The Agency denied Petitioner EA/TRA benefits, contending that the apartment she had located was over the Fair Market Rent ("FMR") for Somerset County. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 27, 2021, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On May 28, 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 ("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.

N.J.A.C. 10:90-6.3(a)(7) states, in pertinent part, "The Agency may authorize TRA when the total cost of housing inclusive of basic utilities is equal to or below the current Fair Market Rent ("FMR")[.] Amounts in excess of the current FMR will require prior approval and authorization of subsidy level by DFD[.]"

Here, the record reflects that the monthly rent of \$1,720 on the one-bedroom apartment that Petitioner had located, is over the allowable FMR of \$1,371 for a one-bedroom apartment in Somerset County. See Initial Decision at 2-3; see also R-1 at Exhibit 3, and DFD Informational Transmittal ("IT") No. 20-26. Although Petitioner claimed that her brother would be moving into the apartment and helping out with the rent, the ALJ found that Petitioner had failed to substantiate that claim. See Initial Decision at 2-3. Based on the foregoing, the ALJ determined that Petitioner is ineligible for EA/TRA benefits. See Initial Decision at 3-4. Accordingly, the ALJ concluded that the Agency's denial of EA/TRA benefits to Petitioner was proper and must stand. See Initial Decision at 4; see also R-1 at Exhibit 5, and N.J.A.C. 10:90-6.3(a)(7)(i)(1). I agree.

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



F,18,N,C090584018X,0027,000013775463

BARA003

Officially approved final version.

JUN 10 2021

Natasha Johnson
Assistant Commissioner

