



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

SARAH ADELMAN
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 **04967-23 P.P.**

AGENCY DKT. NO. **C104840001 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner's EA benefits in the form of Temporary Rental Assistance ("TRA"), contending that his rental property is over the Fair Market Rent ("FMR") for Atlantic County. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 12, 2023, the Honorable Robert D. Herman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On June 13, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that the Agency denied Petitioner, a Work First New Jersey/General Assistance ("WFNJ/GA") benefits recipient, EA/TRA benefits because he was residing in a three-bedroom house at a total cost of \$1,491 per month (\$1,150 rent, plus a monthly average of \$250 in electric costs, and a monthly average natural gas cost of \$91) which is over the FMR of \$1,257 for a one-bedroom rental in Atlantic County, allowable for an assistance unit of one person, such as Petitioner. See Initial Decision at 2, 5; see also Exhibit R-1 at 1-4, 43, N.J.A.C. 10:90-6.3(a)(7)(i)(1), and Division of Family Development Informational Transmittal ("DFD IT") No. 22-13. Based on the foregoing, the ALJ found that Petitioner's three-bedroom house exceeds the allowable FMR for a one-bedroom rental property, and as such, the ALJ concluded that Petitioner is ineligible for EA/TRA benefits, and that the Agency's denial of E/TRA benefits to Petitioner was proper and must stand. See Initial Decision at 6; see also Exhibit R-1 at 1-4. I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, 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 Conclusion of Law.

By way of comment, the Agency shall refer Petitioner to any other agencies or resources which may assist him with his housing needs, including the Social Services for the Homeless program.



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

Officially approved final version. June 28, 2023

Natasha Johnson
Assistant Commissioner

