



## State of New Jersey

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*Governor*

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**DIVISION OF FAMILY DEVELOPMENT**  
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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 13832-17 R.E.**

**AGENCY DKT. NO. S534658012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA"), and Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits contending that he had sufficient income to pay his housing costs, but failed to do so. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for October 13, 2017, but was adjourned. On November 17, 2017, the Honorable Jacob S. Gertsman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On December 6, 2017, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that in August 2017, Petitioner received a Supplemental Security Income ("SSI") benefits lump sum payment in the amount of \$1,714 and began receiving monthly SSI benefit payments in September 2017, in the amount of \$766.25. See Initial Decision at 2; see also Exhibits R-4, R-5. Therefore, on September 10, 2017, the Agency terminated Petitioner's EA benefits because he has sufficient income from his lump sum payment to pay his housing costs. See Initial Decision at 3; see also Exhibit R-6, and N.J.A.C. 10:90-6.1(a)(1), -6.3(a). Petitioner contends that he spent his funds to repay personal debts, and on other personal expenses such as restaurants and clothing, and that he does not currently have the funds to pay his housing costs. See Initial Decision at 3. Petitioner did not provide any documentation to substantiate how his SSI benefits were spent. *Id.* at 4. Moreover, the ALJ found that Petitioner has at least \$4,152.75 in expenditures that remain unexplained and unaccounted for. *Ibid.* Based on the foregoing, the ALJ concluded that Petitioner has failed to provide the Agency with all necessary documentation, that the Agency properly terminated Petitioner's EA benefits, that Petitioner may reapply for EA benefits in the form of a security deposit and first month's rent, should he locate an affordable apartment, and that he must demonstrate how he has spent his SSI benefits income. *Ibid.*; see also Exhibit R-6, and N.J.A.C. 10:90-2.2(a)(5), -6.1(a)(1), -6.3(a). I agree.

Exceptions to the Initial Decision were filed by Petitioner on December 14, 2017.

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 Conclusion of Law.

By way of comment, the transmittal in this matter indicates a contested issue regarding a termination of WFNJ/GA benefits, which was not addressed by the ALJ in the Initial Decision. However, the record reflects that Petitioner is now receiving monthly SSI benefits in the amount of \$766.25, and as such, I find that he is now ineligible for WFNJ/GA benefits. See Initial Decision at 2, see also Exhibits R-4, R-5, and N.J.A.C. 10:90-3.6.



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By way of further comment, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

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

Officially approved final version.

JAN 22 2018

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Natasha Johnson  
Director

