



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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TRENTON, NJ 08625-0716

NATASHA JOHNSON
Director

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 14711-18 S.L.

AGENCY DKT. NO. S608468012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA"), and Supplemental Nutrition Assistance Program ("SNAP"), benefits. The Agency terminated Petitioner's EA benefits, contending that his income exceeds his shelter costs, and terminated Petitioner's SNAP benefits, contending that his income was over the eligibility level for receipt of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 13, 2018, the Honorable David M. Fritch, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On November 28, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner receives \$484.25 in monthly Supplemental Security Income benefits and \$2,432 in monthly Retirement, Survivors, and Disability Insurance benefits. See Initial Decision at 3; see also Exhibits R-7, R-8. Petitioner's monthly rent is \$1,400. See Initial Decision at 3; see also Exhibit R-10. Based on the foregoing, the ALJ concluded that Petitioner's income exceeds his shelter costs, and as such, that he is ineligible for EA benefits. See Initial Decision at 5-6; see also N.J.A.C. 10:90-6.1(a)(1). Accordingly, the ALJ further concluded that the Agency's termination of Petitioner's EA benefits was proper and must stand. See Initial Decision at 6; see also Exhibit R-11. I agree.

No Exceptions to the Initial Decision were received.

As the Director of the Division of Family Development ("DFD"), 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 that Petitioner also appealed a termination of his SNAP benefits, with said issue having been added to the case by DFD's Bureau of Administrative Review and Appeals after the original transmittal in this case. However, that issue was only factually referenced at the hearing, with no analysis or conclusion on the matter. See Initial Decision at 3; see also Exhibit R-9. Therefore, if Petitioner still has an issue concerning a termination of SNAP benefits, he may request another fair hearing on that issue alone.

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



Officially approved final version.

Natasha Johnson
Director

DEC 18 2018

