



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
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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 17565-18 J.M.

AGENCY DKT. NO. S609429012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits in the form of Temporary Rental Assistance ("TRA"). The Agency terminated Petitioner's EA benefits, contending that, due to an increase in income, he had resources sufficient to pay his rent, and that his apartment was now affordable. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 25, 2019, the Honorable Tricia M. Caliguire, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On February 6, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record shows that on April 13, 2018, Petitioner applied for EA benefits. See Initial Decision at 2; see also Exhibit R-1. At the time Petitioner applied, he was employed and homeless. See Initial Decision at 2; see also Exhibits R-1, R-7. The Agency placed him in a motel, and Petitioner signed various EA service plans ("SPs") noting that he would be contributing to his housing costs. See Initial Decision at 3-4; see also Exhibits R-2 through R-5. Although Petitioner testified that he was told by the Agency that he would only be responsible for 30 percent of his housing costs, by letter dated September 18, 2018, Petitioner was informed that as of October 1, 2018, he would be responsible for the full amount of his housing costs, based on his salary. See Initial Decision at 4-5; see also Exhibit R-11. The Agency then requested approval from the Division of Family Development ("DFD"), to pay 70 percent of Petitioner's costs for one month. See Initial Decision at 5; see also Exhibit R-12. DFD denied that request, citing N.J.A.C. 10:90-6.1(c)(1)(ii), -6.3(a). Ibid. The ALJ examined the record and testimony, and found that the Agency's termination of Petitioner's EA benefits was proper, as Petitioner's monthly housing costs were now lower than his available income, and therefore, he was no longer eligible for EA benefits. See Initial Decision at 6-7; see also Exhibit R-11, and N.J.A.C. 10:90-6.1(a)(1). I agree.

No Exceptions to the Initial Decision were filed.

As the Director of the DFD, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination.

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



Officially approved final version.

MAR 13 2019

Natasha Johnson
Director

