



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 06648-19 M.A.

AGENCY DKT. NO. C235180007 (ESSEX COUNTY DIVISION OF WELFARE)

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 her apartment is over the Fair Market Rent ("FMR") for Essex County. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 20, 2019, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

Also on May 20, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner's monthly rent of \$1,594, not including utilities, is over the FMR of \$1,118 in Essex County for a one-bedroom apartment. See Initial Decision at 2; see also "Morgan Properties" billing statement, dated April 10, 2019, and Division of Family Development ("DFD") Instruction 18-09-04. Based on the foregoing, the ALJ determined that Petitioner is ineligible for EA/TRA benefits. See Initial Decision at 2-3; see also N.J.A.C. 10:90-6.3(a)(7)(i)(1). Accordingly, the ALJ concluded that the Agency's denial of EA/TRA benefits to Petitioner was proper and must stand. See Initial Decision at 3; see also "Notification Form." I agree.

No Exceptions to the Initial Decision were received.

As the Director of 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, should Petitioner's circumstances change, such as an eviction from her current apartment, or the securing of housing which is within the FMR for Essex County, she may reapply for EA benefits. Petitioner is advised, however, that the Agency shall determine the most appropriate form of EA benefits required to address her housing needs, which may include shelter placement. See N.J.A.C. 10:90-6.3(a)(1).

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



Officially approved final version.

MAY 23 2019

Natasha Johnson
Director

