



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Natasha Johnson
Director
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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 10232-15 H.N.

AGENCY DKT. NO. C100602 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of her Emergency Assistance ("EA") in the form of Temporary Rental Assistance ("TRA") because it contended that Petitioner had sufficient income to pay her rent. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 4, 2015, the Honorable W. Todd Miller, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On September 8, 2015, the ALJ issued his Initial Decision reversing the Agency determination.

Here, the assistance unit consists of Petitioner, who has a pending Supplemental Security Income application, Petitioner's adult son, who is disabled, and Petitioner's adult daughter, who has an infant child. See Initial Decision at 2. The ALJ found that Petitioner presented recurring monthly expenses which met the criteria as reasonable and necessary expenditures for a decent living. *Ibid.*; see also Exhibit P-1 and N.J.A.C. 10:90-6.1(c)(1)(ii). Subtracting those expenses from the household's income resulted in a monthly deficit of \$65.00. See Initial Decision at 3 and 6. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA/TRA was improper and should be reversed.

No Exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the record in this matter and the ALJ's Initial Decision and,

having made an independent evaluation of the record, I concur with the Initial Decision and hereby adopt the Findings of Fact and Conclusions of Law in this matter.

Accordingly, the Initial Decision in this matter is hereby ADOPTED and the Agency's action is hereby REVERSED.

Signed Copy on File

at DFD, BARA

OCT 29 2015

Natasha Johnson

Director