



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Chris Christie
Governor

Kim Guadagno
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Elizabeth Connolly
Acting Commissioner

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 15391-14 J.M.

AGENCY DKT. NO. GA537656 (SUSSEX COUNTY DIVISION OF SOC. SVCS.)

Petitioner appeals the Respondent Agency's termination of Emergency Assistance ("EA") benefits after she exhausted her 12-month lifetime limit, and the reduction of her Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp program, benefits allotment based upon the conceded receipt of third-party income. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 3, 2015, the Honorable Leland S. McGee, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On March 26, 2015, the ALJ issued an Initial Decision which affirmed the Agency determination.

No exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have considered the record in this matter and the ALJ's Initial Decision, and having made an independent evaluation of the record, I ADOPT the Findings of Fact and Conclusions of Law in the Initial Decision and AFFIRM the Agency determination.

I concur with the ALJ's findings that Petitioner exhausted her 12-month lifetime EA benefits limit and does not presently meet any of the criteria for an "extreme hardship" extension of EA benefits under N.J.A.C. 10:90-6.4(b)(1). Initial Decision at 2-3; Exhibits R-1, R-2. I note Petitioner is not eligible for an extension of EA benefits under the Housing Hardship Extension ("HHE") pilot program because she is not a

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Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits recipient. N.J.A.C. 10:90-6.9. In addition, I note Petitioner is not presently eligible for an extension of EA benefits under the Housing Assistance Program ("HAP") pilot because she is employable and does not appear to meet any of the applicable eligibility criteria. N.J.A.C. 10:90-6.10.

I also concur with the ALJ's finding that the Agency appropriately reduced Petitioner's SNAP allotment based upon her documented irregular receipt of third-party income. Initial Decision at 2-3; Exhibits R-3 through R-6. I note there is no suggestion in the record that Petitioner either concealed or misrepresented this additional income.

Petitioner may reapply for an extension of EA benefits, without prejudice, subject to applicable eligibility criteria. Similarly, Petitioner may seek an increase in her SNAP allotment, subject as well to applicable eligibility criteria.

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

APR - 6 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director