



**State of New Jersey**

**DEPARTMENT OF HUMAN SERVICES**

Division of Family Development  
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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 5306-15 S.G.

AGENCY DKT. NO. V702642 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits because she has sufficient household income to pay for her housing costs. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 22, 2015, the Honorable John S. Kennedy, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On June 11, 2015, the ALJ issued an Initial Decision, which affirmed the Agency's action.

Exceptions to the Initial Decision were filed by the Agency on June 19, 2015.

As the Director of the Division of Family Development, 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.

Pursuant to N.J.A.C. 10:90-6.1(a)(1), EA benefits shall be made available "[w]hen shelter costs equal or exceed total recorded income to the WFNJ or SSI assistance unit and the recipient is unable to document other sources of income, for example, loans from relatives, which enable the individual or family to meet monthly housing/living expenses ...."

Pursuant to N.J.A.C. 10:90-6.1(c)(2), "As part of the determination of eligibility, or continued eligibility for emergency assistance, the agency shall evaluate all potential

contributions of support to the household, including income received by ineligible household members, particularly when determining the amount of temporary rental assistance to be provided . . . .”

Here, the ALJ found that Petitioner has sufficient income to pay her monthly housing costs. See Initial Decision at 2-3. Because Petitioner’s shelter costs do not equal or exceed her household’s monthly income, she is ineligible for EA benefits. Id. at 4; see also N.J.A.C. 10:90-6.1(a)(1). Accordingly, the ALJ found, and I concur, that the Agency properly terminated Petitioner’s EA benefits. See Initial Decision at 4.

By way of comment, the record shows that Petitioner’s monthly household income is actually higher than the \$2,002.74 monthly income relied upon by the ALJ in his Initial Decision. Ibid. Specifically, the record indicates that Petitioner’s monthly household income is \$2,804.99. See Exhibit R-1 at 1, 20, 21, 22.

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

*Signed Copy on File*  
at DFD, BARA

**JUN 29 2015**

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Natasha Johnson  
Director