



State of New Jersey

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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 17968-17 R.H.

AGENCY DKT. NO. C020419001 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits contending that she failed to provide information required to determine eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. The matter was initially scheduled to be heard on January 12, 2018, but was adjourned to allow the parties to exchange additional information. On February 8, 2018, the Honorable Jeffrey R. Wilson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On February 16, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on July 20, 2017, Petitioner applied for EA benefits in the form of temporary rental assistance for back rent. See Initial Decision at 2; see also Exhibit R-1 at 5-11. Petitioner receives \$766 per month in Supplemental Security Income ("SSI"). See Initial Decision at 3; see also Exhibit R-1 at 6. Petitioner had sharing a home with her son. See Initial Decision at 2; see also Exhibit R-1 at 5. The Agency requested that she provide a copy of the lease agreement, verification of rental arrears, and verification of her son's mortgage statement by August 20, 2017. See Initial Decision at 2; see also Exhibit R-1 at 16. On August 22, 2017, Petitioner's application for EA benefits was denied due to her failure to provide the requested information. See Initial Decision at 3; see also Exhibit R-1 at 1-4, and N.J.A.C. 10:90-2.2(a)(5). On October 5, 2017, Petitioner faxed her son's mortgage notice along with handwritten notes from the Petitioner, to the Agency. See Initial Decision at 3; see also Exhibit P-2. Based upon the documents provided to the Agency by Petitioner on October 5, it was determined that the actual monthly mortgage was only \$884.14. See Initial Decision at 3; see also Exhibit P-2 at 6-7. Therefore, the ALJ found that, assuming that Petitioner is responsible for half of the mortgage, her income exceeds her housing expenses. See Initial Decision at 4; see also N.J.A.C. 10:90-6.1(a)(1). Based on the foregoing, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 4; see also Exhibit R-1 at 1-4, and N.J.A.C. 10:90-2.2(a)(5). I agree.

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 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, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her current needs, including Social Services for the Homeless.



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

Officially approved final version.

APR 04 2010

Natasha Johnson
Director

