



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 02089-18 S.G.

AGENCY DKT. NO. C156242003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits contending that she was no longer a Work First New Jersey/General Assistance ("WFNJ/GA") benefits recipient, nor was she a Supplemental Security Income ("SSI") benefits recipient and therefore, was ineligible for EA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for March 20, 2018, but was adjourned at the request of Petitioner, and rescheduled for April 11, 2018. On April 11, 2018, the Honorable David M. Fritch, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On April 19, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner began receiving \$743 per month in Retirement, Survivors and Disability Insurance ("RSDI") benefits, beginning January 2018. See Initial Decision at 3-4; see also Exhibit R-2. As a result, Petitioner's income was over the maximum allowable benefit level for WFNJ/GA benefits eligibility, and her WFNJ/GA benefits were terminated. See Initial Decision at 3; see also Exhibit R-1, and N.J.A.C. 10:90-3.1(c), -3.6(a). Although it does not appear from the transmittal in this matter that Petitioner contested the termination of her WFNJ/GA benefits, nonetheless, the ALJ concluded that due to Petitioner's receipt of RSDI benefits, she is ineligible for WFNJ/GA benefits. See Initial Decision at 4; see also N.J.A.C. 10:90-2.2(a)(4), -3.6(a), -3.9. Nevertheless, Petitioner is seeking a continuation of her monthly EA benefits so that she can have additional time to move into a new apartment. See Initial Decision at 3; see also Exhibit P-1. However, because Petitioner is no longer a WFNJ/GA benefits recipient, nor an SSI benefits recipient, the ALJ concluded that Petitioner is ineligible for EA benefits, and that the Agency's termination of said benefits was proper and must stand. See Initial Decision at 4-5; see also Exhibit R-1, and N.J.A.C. 10:90-6.2(a). 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.

**MAY 09 2018**

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Natasha Johnson  
Director

