



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 06056-19 C.C.

AGENCY DKT. NO. C670297007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of an extension of Emergency Assistance ("EA") benefits, and the reduction of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency denied Petitioner an extension of EA benefits, contending that she has sufficient income to pay her housing costs. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 4, 2019, the Honorable Ernest M. Bongiovanni, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On June 12, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

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 hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination.

In order to be eligible for EA benefits, the applicant/recipient must demonstrate that his/her shelter costs equal or exceed the total income available to the assistance unit. See N.J.A.C. 10:90-6.1(a)(1). Further, as part of the determination of EA benefits eligibility, the Agency must evaluate all potential contributions of support to the household. See N.J.A.C. 10:90-6.1(c)(2).

Here, the record reflects that Petitioner's household income is \$2,006, her monthly rent is \$1,100, and her monthly utilities are \$192. See Initial Decision at 3; see also Exhibit R-2 at 13-15, 10-13. Based on the foregoing, the ALJ found that Petitioner has sufficient income to pay her housing costs. See Initial Decision at 3. Accordingly, the ALJ concluded that the Agency's denial of an extension of EA benefits to Petitioner was proper and must stand. Id. at 4-5; see also Exhibit R-1, and N.J.A.C. 10:90-6.1(a)(1), (c)(2). I agree.

By way of comment, the transmittal in this matter indicates an additional contested issue regarding a reduction of Petitioner's SNAP benefits which was not addressed by the ALJ in the Initial Decision. As that issue was not addressed in the Initial Decision, it has not been addressed in this Final Agency



Decision. Therefore, if Petitioner still has an issue regarding a reduction of SNAP benefits, she may request another hearing on that issue alone.

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

Officially approved final version.

Natasha Johnson
Director

JUN 19 2019

