



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 15972-18 S.K.

AGENCY DKT. NO. C214698004 (CAMDEN COUNTY BOARD 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 had sufficient income to pay for housing. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 7, 2019, the Honorable Susan L. Olgiati, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On January 24, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner applied for EA benefits on August 16, 2018, on behalf of herself, her husband, and her five children, seeking a security deposit and first month's rent at the conclusion of a five-month stay at a shelter, previously paid for by an outside organization. See Initial Decision at 2. On August 23, 2018, Petitioner's husband began new employment, and it appears from the record that Petitioner asked the Agency for EA benefits to remain at the shelter until such time as they could secure permanent housing. See Initial Decision at 2. Petitioner's household income, including her husband's salary and WFNJ/TANF benefits, for August through October 2018, was calculated to total \$8,264. See Initial Decision at 2; see also Exhibit R-1 at 6-13. Petitioner was required to pay thirty percent of her total household income toward shelter costs, and the record reflects that Petitioner did not do so. See Initial Decision at 3; see also Exhibit R-1 at 15-17, and N.J.A.C. 10:90-6.5(a). On October 26, 2018, the Agency terminated Petitioner's EA benefits, finding that she had sufficient household income to pay for housing. See Initial Decision at 3; see also Exhibit R-1 at 2-3, and N.J.A.C. 10:90-6.1(c)(2). The ALJ agreed, finding that Petitioner presented no evidence documenting how her household's income was spent during the months of August through October 2018, and finding that she had sufficient income to pay for housing costs, including the security deposit and first month's rent. See Initial Decision at 4-5; see also Exhibit R-1 at 2-3; and N.J.A.C. 10:90-6.1(c)(2). 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, Petitioner testified that her husband no longer resides in the household, and as such, that her household income has now changed. Therefore, due to her claimed change of circumstances, Petitioner may reapply for EA benefits. See Initial Decision at 3-4.

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

Officially approved final version.

Natasha Johnson
Director

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