



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 16698-15 T.D.

AGENCY DKT. NO. S560158 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of her application for Emergency Assistance ("EA") benefits in the form of security deposit and furniture voucher. The Agency denied Petitioner EA benefits because it determined that she failed to provide the necessary documentation to determine her EA eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 30, 2015, the Honorable Leland S. McGee, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On November 2, 2015, the ALJ issued an Initial Decision, affirming the Agency's determination. The record shows that Petitioner, a Middlesex County resident, submitted a New Apartment Information form with a monthly rental in the amount of \$2,400, not including utilities. See Initial Decision at 3; see also Exhibit R-4. The record also shows that Petitioner asserted that the cost of utilities was of minimal expense. See Initial Decision at 4. Additionally, the record shows that Petitioner relied on the pendency of the following events, in support of her claim that her proposed housing is affordable: a pending appeal of Petitioner's mother's Social Security Disability Insurance ("SSDI"), a/k/a SSD, benefits denial; a pending child support hearing; and Petitioner's pending marriage. *Id.* at 2. The ALJ found that Petitioner's aforementioned projected income is too indefinite to be calculated into her total household income, and that she did not provide the necessary documentation to prove her utility expense claim. *Id.* at 4; see N.J.A.C. 10:90-6.1(a)(1). The ALJ further found that Petitioner's current income does not

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support her proposed housing costs. See Initial Decision at 4. Accordingly, the ALJ concluded that the Agency properly denied Petitioner's application for EA benefits. Ibid. I agree.

No Exceptions to the Initial Decision were filed.

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 in this matter.

By way of comment, Petitioner may reapply for EA benefits, contingent upon her providing all documents necessary to determine her eligibility.

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

Signed Copy on File

at DFD, BARA

NOV 13 2015

Natasha Johnson

Director