



## State of New Jersey

### DEPARTMENT OF HUMAN SERVICES

Division of Family Development  
P.O. Box 716  
TRENTON, NEW JERSEY 08625

Chris Christie  
*Governor*

Kim Guadagno  
*Lt. Governor*

Elizabeth Connolly  
*Acting Commissioner*

Natasha Johnson  
*Director*  
Tel. (609) 588-2400

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 11411-15 B.C.

AGENCY DKT. NO. C045222 (CAPE MAY COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's termination of Emergency Assistance ("EA") benefits in the form of Temporary Rental Assistance ("TRA"). Petitioner had been receiving EA/TRA under the former Housing Assistance Program ("HAP") pilot. The Agency terminated Petitioner's EA/TRA benefits because she exhausted her lifetime limit of EA, plus all available extensions, including under HAP. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 20, 2015, the Honorable Bruce M. Gorman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On August 31, 2015, the ALJ issued his Initial Decision affirming the Agency determination.

No Exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record and, having made an independent evaluation of the record, I hereby ADOPT the ALJ's Initial Decision and AFFIRM the Agency's determination.

The HAP pilot expanded upon the granting of EA extensions to Work First New Jersey ("WFNJ") and Supplemental Security Income ("SSI") recipients. The pilot expired on July 2, 2015. See DFD Instruction 15-07-02.

Here, Petitioner, an SSI recipient, had been receiving EA/TRA benefits under HAP at the time the Agency terminated her benefits. See Initial Decision at 2. The Agency

terminated Petitioner's EA benefits, effective August 1, 2015, because Petitioner had received the maximum number of months of EA available under HAP. See Exhibit R-1 at 15. Petitioner was also advised that HAP expired as of July 2, 2015. Ibid. The ALJ noted that at the time Petitioner's EA benefits were terminated by the Agency, she had received significantly more EA than prescribed under the regulations. See Initial Decision at 3. Specifically, the record reflects that Petitioner had received 63 months of EA benefits. Ibid.; see also Exhibit R-1 at 30-34. The ALJ correctly stated that there is no legal authority under which the Agency may further extend EA benefits to Petitioner. See Initial Decision at 3. Accordingly, the ALJ ordered that the Agency's action be affirmed. I agree.

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.

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

*Signed Copy on File*  
at DFD, BARA

SEP 2 2015

\_\_\_\_\_  
Natasha Johnson  
Director