



**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 19246-15 C.C.

AGENCY DKT. NO. C135299 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of her Emergency Assistance ("EA") benefits in the form of motel placement, and denial of her application for an extension of EA benefits under the extreme hardship extension. The Agency terminated Petitioner's EA benefits because it determined that she had exceeded her lifetime limit of EA benefits, and denied her application for an extension of EA benefits because it determined that she is not actually or imminently homeless. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 7, 2015, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On December 8, 2015, 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 ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I ADOPT the ALJ's Initial Decision and AFFIRM the Agency's determination.

EA benefits are limited to 12 lifetime cumulative months, see N.J.A.C. 10:90-6.4(a), plus limited extensions for an "extreme hardship." A Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") recipient may qualify for two six-month EA extensions if the Agency determines that a case of

extreme hardship exists pursuant to N.J.A.C. 10:90-6.4(b)(1). See N.J.A.C. 10:90-6.4(d). While N.J.A.C. 10:90-6.4(b)(1) lists five eligibility criteria to be considered by the Agency, it should be noted the list is not exhaustive. See DFD Instruction 13-12-02 (clarifying that extensions "may be granted for additional reasons beyond those listed in [the] regulation...only after conferring with DFD").

Here, the record shows that Petitioner is a WFNJ/TANF recipient, who had received over 12 months of EA benefits. See Initial Decision at 2. The ALJ found that Petitioner exhausted her lifetime limit of EA benefits. *Id.* at 3. Additionally, while I agree with the ALJ's finding that Petitioner provided no evidence to support her claim of imminent homelessness, I also find that there is nothing in the record to indicate that Petitioner meets any of the five eligibility criteria needed to qualify for an extreme hardship extension, see N.J.A.C. 10:90-6.4(b)(1), nor does it appear from the record that she had a Med-1 Form and a pending Supplemental Security Income application. *Id.* at 2 and 3; see also N.J.A.C. 10:90-6.4(b)(2). Moreover, after a review of the record, I do not find any circumstances warranting an extreme hardship extension. Therefore, I find that the Agency properly terminated Petitioner's EA benefits, and denied her application for an extension of EA benefits for the foregoing reasons. Should Petitioner's circumstances change she is free to reapply for EA but must meet all applicable eligibility criteria.

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

**DEC 15 2015**

*Signed Copy on File*  
at DFD, BARA

---

Natasha Johnson  
Director