



*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 14919-15 D.M.

AGENCY DKT. NO. C271532 (PASSAIC 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 he had exhausted his lifetime limit of EA benefits, including all available extensions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 22, 2015, the Honorable Sandra Ann Robinson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On October 27, 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). Thus the maximum amount of EA benefits that a WFNJ/TANF cash recipient may receive is 24 months.

If a WFNJ/TANF recipient exhausted their lifetime limit for EA benefits, plus any applicable extreme hardship extensions, the recipient may have received additional EA benefits under the Housing Assistance Program ("HAP"), or the Housing Hardship Extension ("HHE") which were pilot programs that expanded upon the extensions of EA benefits. See N.J.A.C. 10:90-6.10, -6.9. However, the HAP and HHE pilot programs expired on July 2, 2015, and no new applications for HAP or HHE are being accepted after July 6, 2015. See DFD Instruction No. 15-07-02.

Here, the record shows that Petitioner is a WFNJ/TANF recipient, who has received 24 months of EA benefits, which includes two six-month extreme hardship extensions. See Exhibit R-1. To clarify, Petitioner did not receive EA benefits under HHE, as stated by the ALJ. See Initial Decision at 2, 3. Additionally, it appears from the record that Petitioner is not currently employable, has not applied for Supplemental Security Income benefits, and does not have a MED-1 form indicating at least a 12-month disability. Id. at 2. Therefore, Petitioner does not meet the criteria necessary for an extension of EA benefits under HHE or HAP. See N.J.A.C. 10:90-6.9, -6.10.

Based on an independent review of the record, I find that Petitioner has exhausted his lifetime limit of EA benefits, plus all available EA extensions, and therefore, the Agency properly terminated Petitioner's EA benefits.

By way of comment, upon the instruction of the ALJ, a copy of the Initial and Final Decisions shall be forwarded to the Division of Child Protection and Permanency ("DCP&P"), f/k/a DYFS.

By way of further comment, the Agency shall refer the Petitioner to Social Services for the Homeless ("SSH") and any other agencies or programs which may assist Petitioner with his housing needs.

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

*Signed Copy on File*

at DFD, BARA

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Natasha Johnson

Director

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