



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

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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 15929-14 S.G.

AGENCY DKT. NO. C045602 (CAPE MAY COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of her application for an extension of Emergency Assistance ("EA") in the form of Temporary Rental Assistance ("TRA") under the Housing Hardship Extension ("HHE") pilot. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 22, 2015, the Honorable Bruce M. Gorman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence. On February 3, 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, Department of Human Services, I have reviewed the ALJ's Initial Decision and hereby ADOPT the Initial Decision and AFFIRM the Agency determination.

The purpose of EA is to meet the needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work related activities without disruption in order to continue on the path to self-sufficiency. N.J.A.C. 10:90-6.1(a). EA benefits are limited to twelve cumulative months, plus limited extensions for an "extreme hardship" where the recipient has taken "all reasonable steps to resolve the emergent situation but the emergency nonetheless continues or a new emergency occurs, which causes extreme hardship to the family." N.J.A.C. 10:90-6.4(b); see also N.J.S.A. 44:10-51.

Specifically, a Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits recipient may qualify for an additional six months of EA when an "extreme hardship" exists. *Ibid.* In the event the recipient's extreme hardship continues to exist at the expiration of the six-month extension period, an additional six months of EA may be provided. *Ibid.* Thus, the maximum amount of EA that a WFNJ/TANF benefits recipient may receive is twenty four months.

In the event a WFNJ/TANF recipient does not qualify for an "extreme hardship" extension, or has exhausted all of the "extreme hardship" extensions, the recipient may qualify for HHE, which expands upon the granting of EA extensions for TANF recipients. See N.J.A.C. 10:90-6.9. To qualify for HHE, the WFNJ/TANF recipient must be "employable and have been in compliance with the WFNJ work requirements, but have been unsuccessful in obtaining full-time employment, have exhausted their 12-month lifetime limit of EA and the two extensions, as appropriate, and are still in need of housing assistance to become self-sufficient." N.J.A.C. 10:90-6.9(a)(1). If eligible, the WFNJ/TANF recipient may receive up to an additional twelve months of EA. *Ibid.* However, it is a bright-line rule that when a WFNJ/TANF recipient has received a sanction within the 12-month period prior to applying for HHE, the recipient is ineligible for the program. N.J.A.C. 10:90-6.9(c)(1).

Here, the record shows Petitioner exhausted her lifetime limit of 12 months of EA benefits. See Exhibit R-1 at 34-39. The record further shows that Petitioner was sanctioned by the Agency on June 1, 2014, for failure to attend a scheduled WFNJ work activity, which sanction was lifted on July 1, 2014. See Exhibit R-1 at 32-33. Petitioner was evicted during the month of July 2014. See Exhibit R-1 at 7, 8. Petitioner applied for an extension of EA under HHE on November 5, 2014. See Exhibit R-1 at 6-9. The Agency notified Petitioner on November 6, 2014, that her application for an extension under HHE was denied for a number of reasons, including that she had incurred a sanction for non-compliance with the work requirement within the 12-month period prior to applying for HHE. See R-1 at 28-29.

The ALJ concluded that Petitioner was sanctioned by the Agency on June 1, 2014, which was within the 12-month period of her applying for HHE; therefore, she was ineligible for an EA extension under HHE. See Initial Decision at 3. I agree.

Based upon the foregoing, the Initial Decision is ADOPTED and the Agency's action is AFFIRMED.

**MAR 18 2015** *Signed Copy on File*  
at DFD, BARA

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Jeanette Page-Hawkins  
Director