



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

Jennifer Velez
Commissioner

Jeanette Page-Hawkins
Director

Tel. (609) 588-2000

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 14639-14 T.R.

AGENCY DKT. NO. C318805 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of her request for an Emergency Assistance ("EA") extension under the Housing Hardship Extension ("HHE") pilot, N.J.A.C. 10:90-6.9. The Agency denied her request for additional EA because she had exhausted her lifetime limit of EA and all applicable EA extensions. On November 19, 2014, the Honorable Leland S. McGee, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On the same day, the ALJ issued an Initial Decision affirming the Agency determination.

Neither party filed exceptions to the Initial Decision.

As the Director of the Division of Family Development, Department of Human Services, I have considered the record for this matter and the ALJ's Initial Decision, and having made an independent review of the record, I accept and adopt the Findings of Fact and Conclusions of Law that are contained in the Initial Decision.

The purpose of EA is to meet the emergent needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work activities without disruption and continue on a path to self-sufficiency. N.J.A.C. 10:90-6.1(a). EA benefits are limited to twelve months, plus limited extensions for "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; N.J.S.A. 44:10-51. Specifically, a Work First New Jersey/Temporary

Assistance for Needy Families ("WFNJ/TANF") recipient, such as the Petitioner, may qualify for up to two six-month extensions of EA when an "extreme hardship" exists. Ibid. Thus, the maximum amount of EA a WFNJ/TANF recipient may receive is twenty-four months.

In the event an employable WFNJ/TANF recipient does not qualify for an "extreme hardship" extension or has exhausted all of the "extreme hardship" extensions, she may qualify for an extension under HHE, N.J.A.C. 10:90-6.9. To qualify for an extension under HHE, the WFNJ/TANF recipient must be employable, willing to seek and accept full-time employment, and meet all other eligibility criteria set out in the regulation establishing the pilot program. See N.J.A.C. 10:90-6.9. If eligible, the WFNJ/TANF recipient may receive up to an additional twelve months of EA. Ibid

The record for this matter demonstrates that the Petitioner is an employable WFNJ/TANF recipient with a promise of employment at a nursing facility. See Initial Decision at 2. She has received well over 36 months of EA. Exhibit R-4. As such, the Petitioner has exhausted her twelve month lifetime limit and both six month "extreme hardship" extensions available to her under N.J.A.C. 10:90-6.4. Additionally, Petitioner has exhausted the twelve months of assistance available to her under HHE. As such, the Agency appropriately denied her request for additional EA under HHE.

Accordingly, I ADOPT the Initial Decision and AFFIRM the Agency determination.

DEC - 3 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director