



*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 7870-14 L.P.

AGENCY DKT. NO. C042047 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)

Petitioner appeals from the Respondent Agency's denial of her application for Emergency Assistance ("EA") benefits. The Agency denied Petitioner's application for EA benefits because she has exhausted her lifetime limit of EA and she failed to plan in advance to avoid homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 26, 2014, the Honorable John S. Kennedy, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On September 9, 2014, the ALJ issued his Initial Decision affirming the Agency determination.

No exceptions to the Initial Decision were filed.

As 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 evaluation of the record, I accept and adopt the Findings of Fact and the Conclusions of Law as 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).

For Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") recipients, such as the Petitioner, EA benefits are limited to twelve months and two six month "extreme hardships" 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. Thus, the maximum amount of EA a WFNJ/TANF recipient may receive is 24 months.

In the event a WFNJ/TANF recipient does not qualify for an extreme hardship extension or has exhausted her extreme hardship extensions, she may qualify for up to an additional 12 months of EA under the Housing Hardship Extension ("HHE") pilot, N.J.A.C. 10:90-6.9, so long as she has been compliant with all WFNJ requirements, or up to an additional 24 months of EA under the Housing Assistance Program ("HAP") pilot, N.J.A.C. 10:90-6.10. To qualify for an extension under HAP, the recipient must have a Med-1 form substantiating 12 months of disability and have applied for Supplemental Security Income ("SSI") or have appealed the denial of a SSI application. N.J.A.C. 10:90-6.10.

Here, the Petitioner has received 51 months of EA, thereby exhausting her twelve-month lifetime limit of EA benefits and the "extreme hardship" extensions available to her under N.J.A.C. 10:90-6.4. See Exhibit R-1:6-16. Furthermore, Petitioner is not eligible for the HAP pilot because she is employable, has not been determined permanently disabled, nor is she a SSI applicant or recipient. See N.J.A.C. 10:90-6.10(a)(1)(i). Additionally, Petitioner knew in December 2013 that she was being evicted from her sister's apartment and failed to engage in advance planning to secure affordable housing.

Consequently, the Agency's denial of Petitioner's application for EA was proper.

*Signed Copy on File*  
at DFD, BARA

**OCT 23 2014**

---

Jeanette Page-Hawkins  
Director