



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 6439-14 J.B.

AGENCY DKT. NO. GA525473 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals the Respondent Agency's denial of Emergency Assistance ("EA"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 29, 2014, the Honorable Ronald W. Reba, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On August 6, 2014, the ALJ issued an Initial Decision which affirmed the Agency determination and granted additional equitable relief.

Neither party submitted exceptions.

As Director of the Division of Family Development, Department of Human Services, I independently reviewed the record and hereby ADOPT the Initial Decision and AFFIRM the Agency determination.

Petitioner receives Work First New Jersey/General Assistance ("WFNJ/GA"). The parties agree, and the ALJ found, Petitioner is not eligible for an extreme hardship extension of EA under N.J.A.C. 10:90-6.4(b)(1). I agree.

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 to self-sufficiency. N.J.A.C. 10:90-6.1(a). In relevant part, EA benefits are limited to 12 months, plus a 6-month extension for "extreme hardship" where the recipient has taken all reasonable steps to resolve the emergent situation but the emergency nevertheless continues or a new emergency occurs, which causes extreme hardship to the family." N.J.A.C.

Page 2

10:90-6.4(b)(1); N.J.S.A. 44:10-51. Specifically, a WFNJ/GA recipient may qualify for an additional 6 months of EA when an "extreme hardship" exists. Ibid. Thus, the maximum amount of EA a WFNJ/GA recipient may receive is 18 months.

In relevant part, an extension of EA based upon extreme hardship shall be provided when there is a "danger of a loss of employment or a bona fide offer of employment by the recipient adult." N.J.A.C. 10:90-6.4(b)(1)(i). Petitioner concededly is not in danger of losing employment or a bona fide offer of employment, and has offered no other circumstances as a reason for extending EA. N.J.A.C. 10:90-6.4(b)(1). As such, the Agency's denial of additional EA was appropriate.

By way of comment, Petitioner may reapply for EA if his circumstances change. If Petitioner reapplies for EA with proof of full-time employment, he advised that he must still meet all other EA eligibility criteria in order to qualify for additional EA.

For the foregoing reasons, I ADOPT the Initial Decision and AFFIRM the Agency determination.

SEP 29 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director