



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 13265-14 S.J.

AGENCY DKT. NO. C155200 (UNION COUNTY DIVISION OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's denial of her application for an extreme hardship extension of Emergency Assistance ("EA"), N.J.A.C. 10:90-6.4(d)(2). The Agency denied Petitioner's application for an extreme hardship extension as it contended that Petitioner had not provided evidence that a hardship existed. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 21, 2014, the Honorable Sandra Ann Robinson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On October 22, 2014, the ALJ issued her Initial Decision reversing the Agency's determination. The ALJ concluded that the facts in the case demonstrated that Petitioner is now facing imminent homelessness, suffers from various medical conditions, is the sole supporter for her family of three children, one of whom has medical issues, and therefore, Petitioner should be extended a second six month extreme hardship extension. See Initial Decision at 9.

Exceptions to the Initial Decision were filed by the Agency on November 3, 2014. I have reviewed the substance of the Exceptions and find them to have no bearing on my determination as stated below.

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 evaluation of the record, I concur with

the ALJ's determination and I hereby ADOPT the Initial Decision and REVERSE the Agency's denial of an extreme hardship extension of EA.

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 WFNJ/TANF 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 present matter, I concur with the ALJ that the totality of the facts, as they have now been presented, warrant a second extreme hardship extension of up to six months. Since filing her application for the extension with the Agency on September 10, 2014, Petitioner provided the Agency with a current Med-1 form documenting her medical issues. See Exhibit R-5. Additionally, Petitioner and her family now facing imminent homelessness. See Exhibit P-2.

Accordingly, the Initial Decision in this matter is ADOPTED and the Agency's determination is hereby REVERSED.

NOV 07 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director