



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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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 9420-14 T.I.

AGENCY DKT. NO. C202979 (PASSAIC 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 September 15, 2014, the Honorable Sandra Ann Robinson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On September 22, 2014, the ALJ issued an Initial Decision which affirmed the Agency determination.

Petitioner submitted exceptions on October 8, 2014.

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/Temporary Assistance for Needy Families ("WFNJ/TANF") and Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits.

In November 2013, the Agency imposed a sanction based upon Petitioner's non-compliance with WFNJ work activities. N.J.A.C. 10:90-4.13. Petitioner did not appeal, and the Agency did not rescind the sanction.

As it relates to this matter, Petitioner did not establish any extraordinary or extenuating circumstances to warrant an enlargement of the 90-day appeal period, or good cause for the material failure to comply with the WFNJ work requirement. N.J.A.C. 10:90-9.10; -4.11.

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The previously-imposed sanction is therefore final, and not subject to further administrative review.

In 2014, Petitioner applied for an extension of EA under the Housing Hardship Extension ("HHE") pilot after she exhausted her 12-month lifetime EA limit and applicable extreme hardship extensions under N.J.A.C. 10:90-6.4. The HHE pilot authorizes up to 12 months of EA to WFNJ/TANF recipients who are employable and compliant with WFNJ work activities. N.J.A.C. 10:90-6.9. Notwithstanding, and determinative of this appeal, Petitioner is not eligible for EA under the HHE pilot because she incurred a sanction in the 12 months before the date of her application. N.J.A.C. 10:90-6.9(c)(1).

Copies of the Initial and Final Agency Decisions will be forwarded to the Division of Child Protection and Permanency, f/k/a DYFS, to insure the protection of the health, safety and welfare of Petitioner's child.

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

NOV 06 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director