



## State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT  
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NATASHA JOHNSON  
*Assistant Commissioner*

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 10888-23 D.W.

AGENCY DKT. NO. C159344003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits, contending that she had exhausted her 12-month lifetime limit of EA benefits, and had failed to apply for an extreme hardship extension of those benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 19, 2023, the Honorable Michael R. Stanzione, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On October 20, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Under the Work First New Jersey ("WFNJ") regulations, EA benefits are limited to 12 cumulative months during the lifetime of a case, plus limited extensions. See N.J.A.C. 10:90-6.4(a) and -6.4(b). A WFNJ/Temporary Assistance for Needy Families ("TANF") recipient may qualify for up to two additional six months of EA benefits when an "extreme hardship" exists pursuant to the criteria set forth in N.J.A.C. 10:90-6.4(b)(1). See N.J.A.C. 10:90-6.4(d). Thus, the maximum amount of EA benefits that an WFNJ/TANF benefits recipient may receive is 24 months.

Here, the ALJ found that Petitioner, a WFNJ/TANF benefits recipient, had exhausted her 12-month lifetime limit of EA benefits. See Initial Decision at 2-3; see also Exhibits D, G at 24, and N.J.A.C. 10:90-6.4(a). By notice dated September 11, 2023, Petitioner was advised that her EA benefits would be terminated effective October 12, 2023, unless she completed an application for an extreme hardship extension of EA benefits prior to that date, and if found eligible, she would receive an extension of her EA benefits. See Initial Decision at 2-3; see also Exhibits C, G at 26-27, and N.J.A.C. 10:90-6.4(b). Petitioner failed to apply for said extension prior to the effective date of her EA benefits termination, and as of the time of the hearing before the ALJ, had still not completed an EA extreme hardship application. See Initial Decision at 3. Consequently, the Agency terminated Petitioner's EA



benefits, effective October 12, 2023. Ibid.; see also Exhibit C, and N.J.A.C. 10:90-6.4(a). Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits was proper and must stand. See Initial Decision at 3-4; see also Exhibit C. I agree.

By way of comment, Petitioner is advised that she is without prejudice to now apply for an EA extreme hardship extension, if she has not already done so.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED, as outlined above.

Officially approved final version. November 1, 2023

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Natasha Johnson  
Assistant Commissioner

