



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

Elizabeth Connolly
Acting Commissioner

Natasha Johnson
Director
Tel. (609) 588-2400

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 18096-15 A.L.

AGENCY DKT. NO. C464983 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's termination of her Emergency Assistance ("EA") benefits in the form of Temporary Rental Assistance ("TRA"). The Agency terminated Petitioner's EA benefits because it determined that she had exhausted her lifetime limit of EA benefits, plus all available extensions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 23, 2015, the Honorable Gail M. Cookson, held a plenary hearing, took testimony, and admitted documents. On December 30, 2015, the ALJ issued an Initial Decision, reversing the Agency's determination.

No Exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I REJECT the ALJ's Initial Decision and AFFIRM the Agency's determination.

EA benefits are limited to 12 lifetime cumulative months, see N.J.A.C. 10:90-6.4(a), plus limited extensions for an "extreme hardship." A Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") recipient may qualify for two six-month EA extensions if the Agency determines that a case of extreme hardship exists pursuant to 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 a WFNJ/TANF cash recipient may receive is 24 months.

Page 2

Here, the record shows that Petitioner is a WFNJ/TANF recipient, who has received over 24 months of EA benefits, including continued assistance during the pendency of this matter. See Initial Decision at 2; see also "Fair Hearing Data Sheet." The ALJ opined that Petitioner should be granted additional months of EA benefits, in her conviction that Petitioner will become self-sufficient at the end of that period. See Initial Decision at 3. Accordingly, the ALJ concluded that the Agency improperly terminated Petitioner's EA benefits. Ibid. I respectfully disagree. Petitioner has already exceeded her lifetime limit of EA benefits and all available extensions. See N.J.A.C. 10:90-6.4(a) and (b). There are no further EA extension programs that are currently available. Therefore, I find that the Agency properly terminated Petitioner's EA benefits.

The Agency shall refer the Petitioner to any other agencies or resources which may assist her with her housing needs.

Based on the foregoing, the Initial Decision is REJECTED and the Agency's action is AFFIRMED.

JAN 26 2018

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director