



## 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 12431-15 C.M.

AGENCY DKT. NO. C500427 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of an extension of Emergency Assistance ("EA") benefits. The Agency denied Petitioner an extension of EA benefits because she exhausted her lifetime limit of EA benefits, plus all available EA extensions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 17, 2015, the Honorable Kelly J. Kirk, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On September 21, 2015, the ALJ issued an Initial Decision, affirming the Agency's determination. The ALJ found that Petitioner had received 26 months of EA, which included two six-month extreme hardship extensions, and she had not provided any documentation that she applied for an extension of EA benefits prior to July 27, 2015. See Initial Decision at 2. Further, the ALJ found that since the Housing Hardship Extension ("HHE") and the Housing Assistance Program ("HAP") pilot programs, both of which provided additional months of EA, had expired on July 2, 2015, and no new applications were being excepted after that date, Petitioner was ineligible for an extension of EA benefits under either program. *Id.* at 3; see also Division of Family Development ("DFD") Instruction 15-07-02. Accordingly, the ALJ found that the Agency properly denied Petitioner an extension of EA benefits.

Moreover, the ALJ found that even if Petitioner had timely applied for an extension of EA benefits under HHE or HAP, she was not eligible for either program. *Ibid.*

Specifically, she was not eligible for HHE because her six-month MED-1 form indicated that she was unable to work; and was not eligible for HAP because she had not applied for SSI and did not have a MED-1 form indicating at least a 12-month disability. Ibid.; see also N.J.A.C. 10:90-6.9, -6.10.

No Exceptions to the Initial Decision were filed.

As the Director of DFD, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law in this matter.

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

*Signed Copy on File*

at DFD, BARA

**OCT 26 2015**

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Natasha Johnson  
Director