



## 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 11775-15 C.V.

AGENCY DKT. NO. C193898 (UNION COUNTY DIVISION OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's denial of an extension of Emergency Assistance ("EA") benefits under the Housing Assistance Program ("HAP") pilot. The Agency denied Petitioner an extension of EA benefits under HAP because she has sufficient income to pay her rent. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 14, 2015, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On August 14, 2015, the ALJ issued an Initial Decision, which affirmed the Agency's action.

No exceptions to the Initial Decision were received.

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

Pursuant to N.J.A.C. 10:90-6.1(a)(1), EA shall be made available "[w]hen shelter costs equal or exceed total recorded income to the [Work First New Jersey ("WFNJ")] or [Supplemental Security Income ("SSI")] assistance unit and the recipient is unable to document other sources of income, for example, loans from relatives, which enable the individual or family to meet monthly housing/living expenses ...."

HAP is a pilot program which expands upon the granting of EA extensions. HAP was designed to provide additional housing assistance to WFNJ recipients who are

determined permanently disabled, and SSI recipients who are in imminent danger of homelessness, who have exhausted all EA extensions, as appropriate, provided such recipients continue to need EA and are otherwise eligible for EA in accordance with N.J.A.C. 10:90-6.1. See N.J.A.C. 10:90-6.10(a)(1).

The Housing Hardship Extension ("HHE") is another pilot program which also expands upon the granting of EA extensions for WFNJ/Temporary Assistance for Needy Families ("WFNJ/TANF") recipients. See N.J.A.C. 10:90-6.9. To qualify for HHE, the WFNJ/TANF recipient must be "employable and have been in compliance with the WFNJ work requirements, but have been unsuccessful in obtaining full-time employment, have exhausted their 12-month lifetime limit of EA and the two extensions, as appropriate, and are still in need of housing assistance to become self-sufficient." N.J.A.C. 10:90-6.9(a)(1).

Here, the record shows that Petitioner has a monthly household income totaling \$1,084, plus she receives \$384 per month in Supplemental Nutrition Assistance Program, f/k/a the Food Stamp Program, benefits. See Initial Decision at 2. Petitioner's monthly rent is \$700, inclusive of utilities. *Ibid.* Therefore, Petitioner's income exceeds her shelter costs, and she is ineligible for EA benefits. See N.J.A.C. 10:90-6.1(a)(1). Because Petitioner is ineligible for EA in accordance with N.J.A.C. 10:90-6.1, she is, likewise, ineligible for an extension of EA benefits under HAP. See N.J.A.C. 10:90-6.10(a). Accordingly, the ALJ found that the Agency properly denied Petitioner an extension of EA benefits under HAP. See Initial Decision at 4. I concur.

Additionally, Petitioner is ineligible for an extension of EA benefits under HHE because she is currently unemployable due to her medical condition. *Id.* at 3; see also N.J.A.C. 10:90-6.9(a)(1).

By way of comment, the HAP and HHE pilot programs expired on July 2, 2015, and no new applications for HAP or HHE are being accepted after July 6, 2015. See DFD Instruction No. 15-07-02.

Accordingly, the Initial Decision is ADOPTED and the Agency's action is AFFIRMED.

*Signed Copy on File*

at DFD, BARA

AUG 24 2015

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Natasha Johnson  
Director