



*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 14072-14 D.B.

AGENCY DKT. NO. GA349812 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA"). Because Petitioner appealed, this matter was transmitted to the Office of Administrative Law for a hearing. On November 12, 2014, the Honorable James A. Geraghty, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On November 14, 2014, the ALJ issued an Initial Decision affirming the Agency determination.

Neither party filed exceptions to the Initial Decision.

As Director of the Division of Family Development, Department of Human Services, I have considered the record for this matter and the ALJ's Initial Decision, and having made an independent evaluation of the record, I ADOPT the Initial Decision and AFFIRM the Agency determination.

The purpose of EA is to meet the emergent needs of Work First New Jersey ("WFNJ") and Supplemental Security Income ("SSI") recipients. N.J.A.C. 10:90-6.1(a). In order to be eligible for EA benefits, N.J.A.C. 10:90-6.1(c) provides, in relevant part, that the individual must have "an actual or imminent eviction from prior housing, and the assistance unit is in a state of homelessness or imminent homelessness due to circumstances beyond their control or the absence of a realistic capacity to plan in advance for substitute housing."

For WFNJ/General Assistance ("GA") recipients, such as the Petitioner, EA benefits are limited to twelve months and a single six month "extreme hardship" extension under N.J.A.C. 10:90-6.4(a) and 6.4(c). Thus, the maximum amount of EA a WFNJ/GA recipient may receive is 18 months.

In the event a WFNJ/GA recipient does not qualify for an extreme hardship extension or has exhausted his extreme hardship extension, he may be evaluated for up to an additional 24 months of EA under the Housing Assistance Program ("HAP") pilot, N.J.A.C. 10:90-6.10. To qualify for an extension under HAP, the recipient must have a Med-1 form substantiating 12 months of disability and have applied for SSI or have appealed the denial of an SSI application. N.J.A.C. 10:90-6.10.

The record suggests that Petitioner has received thirteen months of EA benefits. See Exhibit R-2. Petitioner testified that he was starting a new job at the end of November 2014, and required three additional months of EA benefits. However, Petitioner has not provided documentation to substantiate that an eviction has occurred or is imminent.

Based upon the record, I agree with the ALJ that the Petitioner has failed to establish a claim for EA eligibility.

Accordingly, the Initial Decision is hereby ADOPTED and the Agency determination is hereby AFFIRMED.

**NOV 28 2014**

*Signed Copy on File*  
at DFD, BARA

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Jeanette Page-Hawkins  
Director