



**DEPARTMENT OF HUMAN SERVICES**

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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 5188-15 J.B.

AGENCY DKT. NO. C034173 (SOMERSET COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of an extension of Emergency Assistance ("EA") under the Housing Hardship Extension ("HHE") pilot program, N.J.A.C. 10:90-6.9. The Agency terminated Petitioner's EA under the HHE pilot program because she exhausted the benefits available to her. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 5, 2015, the Honorable Joseph A. Ascione, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On May 21, 2015, the ALJ issued his Initial Decision, affirming the Agency's determination. The record indicates that Petitioner, a Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") recipient, has exhausted 12 months of EA benefits, as well as her two 6-month hardship extensions. See Initial Decision at 2; see also Exhibit R-1 at 1-2. Moreover, she exhausted all benefits under the HHE pilot program. *ibid.* In fact, the record reflects that Petitioner has received over 45 months of EA. See Initial Decision at 2; see also Exhibit R-1 at 1-17. Further, as more fully discussed below, it does not appear that Petitioner is eligible for benefits under the Housing Assistance Program ("HAP") pilot. See N.J.A.C.10:90-6.10(a).

Here, as noted, Petitioner exhausted all EA benefits available under the HHE pilot program. Further, the ALJ found that Petitioner did not meet any of the criteria for an extension of EA benefits under the HAP pilot because she provided no information to show HAP eligibility. See Initial Decision at 2. The ALJ, referencing the eligibility requirements for HAP, explained that Petitioner did not show that an application for

Retirement Survivors and Disability Insurance ("RSDI") and/or Supplemental Security Income ("SSI") disability benefits was pending. In addition, Petitioner did not provide the Agency with a Med-1 form substantiating at least 12 months of a disability, nor did she meet any of the other criteria needed for HAP eligibility. See Initial Decision at 3. The HAP pilot was designed for those who are determined to be permanently disabled and SSI recipients in immanent danger of homelessness. See N.J.S.A. 10:90-6(a)(1). Significantly, if not the most salient fact in terms of Petitioner's lack of eligibility for HAP, is that the record reflects that she is not permanently disabled, as she is employed and working at Rite Aid. See Initial Decision at 3.

No Exceptions to this Initial Decision were filed.

As the Director of the Division of Family Development, 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.

JUN 04 2015 *Signed Copy on File*  
at DFD, BARA

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Natasha Johnson  
Director