



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 13259-14 J.M.

AGENCY DKT. NO. GA537180 (CAMDEN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's denial of his application for an extension of Emergency Assistance ("EA"). The Agency denied Petitioner's request because he had received the maximum number of EA payments. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 13, 2014, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On November 21, 2014, the ALJ issued an Initial Decision affirming the Agency's determination.

Neither party filed Exceptions to the Initial Decision.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and hereby ADOPT the Initial Decision in this matter and AFFIRM the Agency's determination.

The purpose of EA is to meet the needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work related activities without disruption in order to continue on the path to self-sufficiency. See N.J.A.C. 10:90-6.1(a). EA benefits are limited to twelve cumulative months, plus limited extensions for an "extreme hardship" where the recipient has taken "all reasonable steps to resolve the emergent situation but the emergency nonetheless continues or a new emergency occurs, which causes extreme hardship to the family." N.J.A.C. 10:90-6.4(b); see also N.J.S.A. 44:10-51.

Specifically, a Work First New Jersey/General Assistance ("WFNJ/GA") benefits recipient may qualify for an additional six months of EA when an "extreme hardship" exists. N.J.A.C. 10:90-6.4(d). Thus, the maximum amount of EA a WFNJ/GA recipient may receive is 18 months.

If the WFNJ/GA recipient exhausts their lifetime limit for EA benefits, the recipient may receive additional EA benefits under the Housing Assistance Program ("HAP"), which is a pilot program that expands upon the extensions of EA benefits. However, HAP was designed to provide additional housing assistance for up to twenty-four months to WFNJ/GA and Supplemental Security Income ("SSI") recipients, facing imminent homelessness, who are unemployable due to "disabilities that prevent them from finding employment." See 43 N.J.R. 2715(a); see also N.J.A.C. 10:90-6.10(a)(1).

Here, the record reflects that Petitioner is an employable WFNJ/GA recipient that has received a total of fourteen (14) months of EA payments. See Exhibit R-1 at 1. Petitioner's EA benefits were terminated effective October 1, 2014, due to the expiration of the lifetime limit. See *id.* at 3. Since Petitioner has not provided evidence of a job/bona fide offer of employment or evidence of "extreme hardship," the ALJ correctly concluded he does not qualify for an extreme hardship extension. See Initial Decision at 3. Moreover, at the present time, Petitioner does not qualify for an EA extension under HAP as he is employable and does not possess a MED-1 substantiating 12 months of a disability, nor is he a SSI applicant/recipient.

By way of comment, the ALJ opines that a WFNJ/GA benefits recipient would be potentially eligible for an EA extension under the Housing Hardship Extension ("HHE") pilot program. See Initial Decision at 3. This is incorrect. HHE is another pilot program which also expands upon the granting of EA extensions, but only for Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits recipients, not WFNJ/GA benefits recipients. See N.J.A.C. 10:90-6.9.

Based upon the foregoing, the Initial Decision is hereby ADOPTED and the Agency decision is AFFIRMED.

Signed Copy on File

at DFD, BARA

JAN -7 2015

Jeanette Page-Hawkins
Director