



*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 11169-15 J.M.

AGENCY DKT. NO. GA541605 (MORRIS CO. OFFICE OF TEMP ASSISTANCE)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits in the form of Temporary Rental Assistance ("TRA"). The Agency terminated Petitioner's EA benefits because he had exhausted his lifetime limit of EA and all available extensions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 15, 2015, the Honorable Gail M. Cookson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On September 29, 2015, the ALJ issued an Initial Decision, affirming the Agency's determination. The record shows that Petitioner is a Work First New Jersey/General Assistance ("WFNJ/GA") recipient who had received 19 months of EA. See Initial Decision at 2. Under the EA regulations, EA is limited to 12 cumulative months during the lifetime of a case, plus limited extensions. See N.J.A.C. 10:90-6.4(a) and (b). A WFNJ/GA recipient may qualify for an additional six months of EA when an "extreme hardship" exists. See N.J.A.C. 10:90-6.4(c). Thus, the maximum amount of EA that a WFNJ/GA benefit recipient may receive is 18 months. *Ibid.* The ALJ found that Petitioner had exhausted his lifetime limit of EA, plus all available extensions. See Initial Decision at 3. Accordingly, the ALJ concluded that the Agency properly terminated Petitioner's EA benefits. *Ibid.*

No Exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development ("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.

By way of comment, I note that Petitioner selected all three options on his EA application: Housing Assistance Program ("HAP"); Housing Hardship Extension ("HHE"); and EA hardship extension. See Exhibit R-1 from 8-10. Petitioner is not a Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") recipient, and therefore, would not be eligible for an extension of EA under HHE. See N.J.A.C. 10:90-6.9(a). Further, the record does not indicate that Petitioner had applied for, and is either pending approval for, or appealing a denial of Retirement, Survivors and Disability Insurance ("RSDI") and/or Supplemental Security Income ("SSI") benefits, supported by a valid MED-1 form, and therefore, would not be eligible for an extension of EA under HAP. See Initial Decision at 2; see also N.J.A.C. 10:90-6.10(a)(1). Additionally, Petitioner is not eligible for further extension of EA benefits under the general EA hardship extension because he had exhausted his lifetime limit of EA, plus all available extensions. See N.J.A.C. 10:90-6.4(c); see also Initial Decision at 3.

By way of further 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 in this matter is hereby ADOPTED and the Agency's determination is AFFIRMED.

**NOV 06 2015**

*Signed Copy on File*  
at DFD, BARA

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Natasha Johnson  
Director