



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Acting Commissioner

Natasha Johnson
Director

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 1106-15 O.G.

AGENCY DKT. NO. C189503 (UNION COUNTY DIVISION OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's ("Agency") denial of Emergency Assistance ("EA") benefits. Despite the Agency initially approving Petitioner's application, the Agency ultimately denied Petitioner's application on the basis Petitioner had exhausted all of her EA eligibility. Because the Petitioner appealed, this matter was transmitted to the Office of Administrative Law for a hearing. On March 13, 2015, the Honorable Margaret M. Monaco, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence.

On March 31, 2015, the ALJ issued her Initial Decision, which reversed the Agency's determination and ordered that Petitioner be extended EA benefits pursuant to the Housing Hardship Extension ("HHE") program for an additional nine months in the form of Temporary Rental Assistance ("TRA") as long as Petitioner remains eligible.

No Exceptions to the Initial Decision were received.

As the 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, for the reasons below, I ADOPT the ALJ's Initial Decision and REVERSE the Agency's denial of EA.

The purpose of EA is to meet the emergent needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work activities without disruption and continue on a path to self-sufficiency. N.J.A.C. 10:90-6.1(a).

EA benefits are limited to 12 months, plus limited extensions for "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; N.J.S.A. 44:10-51. N.J.A.C. 10:90-6.9(a)(1) explains that the HHE is a program for WFNJ/TANF recipients who are 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 on EA and the two extensions, as applicable, but still require housing assistance to become self-sufficient.

Here, the record demonstrates that Petitioner exhausted her twelve months of EA; the two allowable six-month extreme hardship extensions; and, the twenty-four months under the Housing Assistance Program ("HAP"). See Initial Decision at 4. Despite Petitioner already having received sixty-one months of EA, the ALJ correctly reasoned Petitioner is eligible for the HHE program since the Agency failed to offer any evidence Petitioner does not meet the HHE requirements. *Id.* at 5.

Accordingly, the Initial Decision is hereby ADOPTED and the Agency's denial of EA benefits is REVERSED.

Signed Copy on File

at DFD, BARA

MAY 20 2015

Natasha Johnson

Director