



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Elizabeth Connolly
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 16877-14 R.M.

AGENCY DKT. NO. GA433962 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from Respondent Agency's denial of his application for an extension of Emergency Assistance ("EA") benefits. The Agency denied Petitioner's application because he had exhausted all available EA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 25, 2015, the Honorable Michael Antoniewicz, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On March 18, 2015, the ALJ issued his Initial Decision affirming the Agency's determination. The ALJ found that the facts presented revealed that Petitioner had received 18 months of EA benefits, which included the 12-month lifetime limit of EA benefits, plus one six-month extreme hardship extension. See Initial Decision at 2; see also N.J.A.C. 10:90-6.4(a), (c). As such, the ALJ concluded that the Agency had properly denied Petitioner's EA extension application. Further, the ALJ noted that Petitioner is not eligible for an EA extension under the Housing Hardship Extension ("HHE") pilot program because he did not meet the eligibility criteria. See Initial Decision at 2.

No Exceptions to the 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 decision and hereby ADOPT the Findings of Fact and Conclusion of Law in this matter.

By way of comment, Petitioner is ineligible for an extension of EA benefits under HHE because he is a Work First New Jersey/General Assistance ("WFNJ/GA") recipient. Only Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") recipients are eligible for an extension of EA benefits under HHE. See N.J.A.C. 10:90-6.9(a).

By way of further comment, the Housing Assistance Program ("HAP") pilot is another pilot program which also expands upon the granting of EA extensions. 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). Although Petitioner references in his EA extension application a knee replacement from which he is continuing to recover, the record is devoid of any documents that would support a conclusion that Petitioner may qualify for benefits under HAP related to that issue. See Exhibit R-2 at 3. Therefore, Petitioner is without prejudice free to reapply for EA benefits under HAP in order to determine if he is eligible pursuant to N.J.A.C. 10:90-6.10.

Accordingly, the Initial Decision in this matter is ADOPTED and the Agency's action is hereby AFFIRMED.

MAY 18 2015

Signed Copy on File

at DFD, BARA

Natasha Johnson
Director