



State of New Jersey

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*Governor*

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DIVISION OF FAMILY DEVELOPMENT  
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TRENTON, NJ 08625-0716

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 11877-18 M.S.

AGENCY DKT. NO. C674576007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of an extreme hardship extension Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency denied Petitioner an extension of EA benefits, and imposed a six-month EA ineligibility penalty, contending that she failed to engage in advance planning and to take reasonable steps to avert her current emergency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 20, 2018, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On August 21, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner had received 14 units of EA, as of August 2017. See Initial Decision at 2; see also Exhibits R-4 through R-6. On August 6, 2018, Petitioner applied for an extreme hardship extension of EA benefits in the form of temporary rental assistance ("TRA"), indicating that she was in danger of losing her home. See Initial Decision at 3; see also Exhibit R-1. On that same date, the Agency requested that Petitioner provide verification of her efforts to locate subsidized housing and employment, since she had resided at the same address for which she had previously received EA/TRA benefits in August 2017. See Initial Decision at 3-4; see also Exhibit R-2. The ALJ found that Petitioner has not paid any rent since April 2018, and has failed to take any reasonable action to avoid her emergent situation, thereby causing her own homelessness. See Initial Decision at 2, 5; see also N.J.A.C. 10:90-6.1(c)(3)(vi). The ALJ further found that Petitioner does not qualify for an extension of EA benefits under an extreme hardship extension. See Initial Decision at 3-4; see also N.J.A.C. 10:90-6.4(b). Based on the foregoing, the ALJ concluded that the Agency's denial of an extreme hardship extension of EA benefits to Petitioner, and its imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 5; see also Exhibit R-3, and N.J.A.C. 10:90-6.1(c)(3). I agree.

No Exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and the Conclusions of Law.

By way of comment, the six-month EA penalty shall run from the date of the Agency's denial of EA benefits, August 14, 2018, through February 13, 2018. See Exhibit R-3.

By way of further comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her current needs, including Social Services for the Homeless.



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

Officially approved final version.

AUG 28 2018

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Natasha Johnson

Director

