



## 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  
*Assistant Commissioner*

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 **14150-24 T.D.**

AGENCY DKT. NO. **C177162003 (BURLINGTON COUNTY BD. OF SOC. SVCS)**

Petitioner appeals from the Respondent Agency's denial of an extreme hardship extension of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that she had exhausted her lifetime 12-month limit of EA benefits, and did not qualify for an extreme hardship extension of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 11, 2024, the Honorable Kimberly M. Wilson, Administrative Law Judge ("ALJ"), held a telephonic, converted to a Zoom, plenary hearing, took testimony, and admitted documents. The record remained open until October 15, 2024, at 9:00 a.m. to allow Petitioner the opportunity to submit additional documents. Additional documents were submitted, and the record then closed on that date.

On October 15, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record indicates that Petitioner has received 12 months of EA benefits, from September 2023, through August 2024. See Initial Decision at 2; see also R-1 Exhibit A at 4. Therefore, Petitioner has exhausted her lifetime limit of EA benefits. See N.J.A.C. 10:90-6.4(a). However, as a victim of past domestic violence ("DV"), Petitioner was referred for a Family Violence Option ("FVO") Risk Assessment to determine if she qualified for an extreme hardship extension of EA benefits. See Initial Decision at 3-4; see also Exhibit R-1 Exhibit B at 12-13, and N.J.A.C. 10:90-6.4(b)(iii), -20.1, -20.4. That FVO assessment indicated that Petitioner was at low or no risk of further DV, and the ALJ found that Petitioner had not provided any credible evidence to indicate that she is presently in danger of DV. See Initial Decision at 3-5, 7; see also Exhibit R-1 Exhibit B at 12-13. Based on the foregoing, the ALJ found that Petitioner did not qualify for an extreme hardship extension of EA benefits, nor did she qualify for an FVO waiver of EA time limits, and accordingly, concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 6-8; R-1 Exhibit B at 15-16, and N.J.A.C. 10:90-6.4(b)(iii), -20.4(7). I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, 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 final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law in this matter.0

By way of comment, because the record reflects that Petitioner may continue to suffer from the effects of DV, the Agency is directed to refer Petitioner for a Substance Abuse Initiative/Behavioral Health Initiative ("SAI/BHI") assessment, as recommended in the FVO report, if it has not done so already. See Initial Decision at 3-5; see also R-1 Exhibit B at 12.

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 in this matter is hereby ADOPTED and the Agency's determination is AFFIRMED.

Officially approved final version.

October 31, 2024

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Natasha Johnson

Assistant Commissioner

