



State of New Jersey

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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 06001-18 M.J.

AGENCY DKT. NO. C172122009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits contending that she has exhausted her lifetime limit of EA benefits, and that she failed to prove that an extreme hardship, as defined in the regulations, exists for continued EA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 15, 2018, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On June 19, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination.

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 hereby ADOPT the Initial Decision, and AFFIRM the Agency's determination.

Under the Work First New Jersey ("WFNJ") regulations, EA benefits are 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 -6.4(b). A WFNJ/Temporary Assistance for Needy Families ("TANF") recipient may qualify for up to two six-month extensions of EA benefits when an "extreme hardship" exists pursuant to the criteria set forth in N.J.A.C. 10:90-6.4(b)(1). See N.J.A.C. 10:90-6.4(d). Thus, the maximum amount of EA benefits that a WFNJ/TANF benefits recipient may receive is 24 months.

Here, the record reflects that Petitioner, a WFNJ/TANF benefits recipient, had received 14 months of EA benefits, and has received continued assistance pending the outcome of this fair hearing. See Initial Decision at 2. Petitioner testified that she has several sources of income from selling cosmetics, housecleaning, and babysitting, and also receives financial assistance for housing from family members and from her church. See Initial Decision at 3. Petitioner also testified that she has not been served with an eviction notice. *Id.* at 2. Based upon the testimony and the credible evidence presented, the ALJ concluded that Petitioner has exhausted her lifetime limit of EA benefits, and that she has not demonstrated that a hardship will exist if she is denied an extension of EA benefits. See Initial Decision



at 2, 4; see also N.J.A.C. 10:90-6.4(a), (b), (d). Accordingly, the ALJ also concluded that the Agency's termination of Petitioner's EA benefits was proper and must stand. See Initial Decision at 3; see also Exhibit R-1. I agree.

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

Officially approved final version.

JUL - 5 2018

Natasha Johnson

Director

