



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development

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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 12413-15 C.C.

AGENCY DKT. NO. C492967 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of her application for an extension of Emergency Assistance ("EA") benefits in the form of Temporary Rental Assistance ("TRA") under the Housing Assistance Program ("HAP") pilot. The Agency denied Petitioner an extension of EA benefits because it determined that she has exhausted her lifetime limit of EA and all available extensions, and she did not meet the eligibility criteria for further extension under HAP. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 15, 2015, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On September 21, 2015, the ALJ issued an Initial Decision, affirming the Agency's determination. The record shows that Petitioner has received 37 months of EA, including 13 months of benefits under the HAP pilot. See Initial Decision at 3; see also N.J.A.C. 10:90-6.10(a). The record also shows that Petitioner has applied for Supplemental Security Income ("SSI") benefits, and provided a WFNJ MED-1 form, indicating a least a 12-month disability, to support her claim for further EA extension under HAP. See Exhibit P-2; see also Initial Decision at 3. The ALJ found that while Petitioner's SSI application was denied, she has not, and will not, file an appeal. See Initial Decision at 3. Moreover, the Petitioner is gainfully employed. See Initial Decision at 3. Accordingly, the ALJ concluded that the Agency properly denied Petitioner an extension of EA benefits under HAP because she does not have an either pending approval, or appealing a denial of SSI benefits. See Initial Decision at 4; see also N.J.A.C. 10:90-6.10(a)(1)(i).

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 final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law in this matter.

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

OCT 26 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director