



## 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 7356-15 R.H.

AGENCY DKT. NO. GA420055 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's denial of his application for an extension of Emergency Assistance ("EA") benefits. The Agency denied Petitioner's EA application because he has exhausted his lifetime limit of EA and all available extensions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 27, 2015, the Honorable Sandra Ann Robinson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On June 1, 2015, the ALJ issued an Initial Decision reversing the Agency 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 having made an independent evaluation of the record, I hereby REJECT the ALJ's Initial Decision and AFFIRM the Agency's determination.

EA benefits under the Work First New Jersey ("WFNJ") program are limited to 12 cumulative months during the lifetime of the case. See N.J.A.C. 10:90-6.4(a). However, recipients of WFNJ/General Assistance ("WFNJ/GA"), such as Petitioner, who are receiving EA may be eligible for one six-month extension if the agency determines that an extreme hardship exists under five specific criteria set forth in N.J.A.C. 10:90-6.4(b)(1)(i) through (v). See N.J.A.C. 10:90-6.4(1)(c). Therefore, the maximum amount of EA that a WFNJ/GA recipient may receive is 18 months. *Ibid.*

With the above-referenced limitations in mind, the operative question is whether additional EA is available to Petitioner. A review of the record shows that Petitioner has received 47 months of EA, not including payments for furniture, utilities, and security deposits. See Exhibit R-1. Clearly, Petitioner has exhausted his 12-month lifetime limit, one six-month extreme hardship extension, and 23 additional months of EA. *Ibid.* As such, I find that Petitioner has indeed exhausted his 12-month lifetime limit of EA benefits, plus all available extreme hardship extensions. See N.J.A.C. 10:90-6.4(c). While I commend Petitioner on the recent strides he has taken to move towards self-sufficiency, I must note that EA benefits are not unlimited. Accordingly, I disagree with the ALJ's conclusion that Petitioner is entitled to additional EA. See Initial Decision at 7-8. On the contrary, there is no authority granted under the WFNJ regulations to allow the continuation of EA above the regulated timelines.

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

**JUN 10 2015**

*Signed Copy on File*

at DFD, BARA

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Natasha Johnson  
Director