

CHAPTER 42**WORK FIRST NEW JERSEY HOUSING ASSISTANCE PROGRAM****Authority**

N.J.S.A. 44:10-45 and 44:10-70.

Source and Effective Date

R.1999 d.124, effective April 19, 1999 (operative April 19, 1999).
See: 30 N.J.R. 1463(a), 31 N.J.R. 1061(c).

Executive Order No. 66(1978) Expiration Date

Chapter 42, Work First New Jersey Housing Assistance Program, expires on April 19, 2004.

Chapter Historical Note

Chapter 42, Federal Aid Project Notification and Review System, was adopted as R.1970 d.83, effective July 9, 1970. See: 2 N.J.R. 46(d), 2 N.J.R. 61(e).

Chapter 42, Federal Aid Project Notification and Review System, was repealed by R.1983 d.488, effective November 7, 1983. See: 15 N.J.R. 1494(a), 15 N.J.R. 1858(a).

Chapter 42, Work First New Jersey Housing Assistance Program, was adopted as new rules by R.1999 d.124, effective April 19, 1999 (operative April 19, 1999). See: Source and Effective Date.

CHAPTER TABLE OF CONTENTS**SUBCHAPTER 1. PROGRAM ADMINISTRATION**

- 5:42-1.1 Selection criteria
- 5:42-1.2 Department responsibilities
- 5:42-1.3 Case management

SUBCHAPTER 2. RENTAL SUBSIDIES

- 5:42-2.1 Subsidy amounts
- 5:42-2.2 Escrow/savings accounts
- 5:42-2.3 Duration and termination of rental subsidies
- 5:42-2.4 Other causes for termination
- 5:42-2.5 Phasing out of the rental assistance program
- 5:42-2.6 Exit counseling
- 5:42-2.7 Right of appeal

SUBCHAPTER 1. PROGRAM ADMINISTRATION**5:42-1.1 Selection criteria**

(a) The Work First New Jersey (WFNJ) Housing Assistance Program shall be available to residents of the cities of Trenton, Camden, Elizabeth, Asbury Park and New Brunswick. These municipalities have been chosen on the basis of that portion of the State WFNJ/Temporary Assistance for Needy Families (TANF) caseload that is represented by each of them.

(b) The county agency administering WFNJ/TANF in the county in which a targeted municipality is located shall refer families that are no longer eligible for WFNJ/TANF cash assistance to the Department of Community Affairs if they are ineligible for all of the following reasons:

1. Placement in unsubsidized employment;
2. Incomes of 150 percent or less of the Federal Poverty Level; and
3. Cash assets and other personal property having an aggregate value not exceeding \$4,000 (exclusive of an automobile).

(c) Families who are no longer eligible for WFNJ/TANF cash assistance due to all of the reasons in (b) above shall be referred to the Department of Community Affairs based on the highest cumulative points in accordance with the following priorities:

1. Family is recommended by the county agency making the referral (7 points);
2. Family may have been homeless, but did not cause their homelessness themselves by being evicted from housing for being disorderly or engaging in wanton destruction of property or criminal activity (6 points);
3. Family received temporary rental assistance under WFNJ/TANF in order to prevent homelessness (5 points);
4. Applicant is a teenaged parent who will turn 18 years of age and has been living in a second chance home (4 points);
5. Family paying more than 50 percent of its gross earned income for housing expenses (3 points);
6. Applicant is a teenaged parent, under the age of 20, who has been employed and is no longer eligible for WFNJ/TANF (2 points);
7. Family that has received fewer than two sanctions while eligible for WFNJ/TANF (1 point).

Amended by R.2000 d.25, effective January 18, 2000.

See: 31 N.J.R. 917(a), 32 N.J.R. 273(b).

Rewrote (b); and in (c), rewrote the introductory paragraph.

5:42-1.2 Department responsibilities

(a) Upon receipt of a written referral from the county agency administering WFNJ/TANF in the county in which a designated municipality is located, the Department of Community Affairs, through its county field offices, shall:

1. Assist families with locating appropriate housing;
2. Conduct case management services for program participants;
3. Inspect housing and ensure that it conforms with the Housing Quality Standards established by the United States Department of Housing and Urban Development;

4. Conduct rent reasonableness tests to ensure that rents represent the fair market value, as determined by the United States Department of Housing and Urban Development;

5. Negotiate lease and rental subsidy contract terms with landlords;

6. Calculate the rental subsidy for each participating family;

7. Establish and maintain escrow savings accounts for participants;

8. Determine the length of rental assistance for each family;

9. Provide and/or refer participants to housing counseling, budget counseling, re-employment services and related services;

10. Re-evaluate the participants' circumstances and needs with regard to the program at least once a year; and

11. Administer the day-to-day operations of the program.

5:42-1.3 Case management

(a) The Department of Community Affairs shall assign program participants to a field representative who shall assist them in identifying suitable housing and negotiating leases with property owners.

(b) The field representative shall review the information about the family that is provided by the Department of Human Services to determine if any additional services may be needed by the family. A description of programs that provide budget and employment counseling and supportive services shall be provided to participants as required.

1. The field representative shall continue to be the point of contact for the participants, and shall assist them with referral and linkage to other services as required.

SUBCHAPTER 2. RENTAL SUBSIDIES

5:42-2.1 Subsidy amounts

(a) Participating families shall pay a percentage of their monthly income towards their rent, based upon the following schedule: Year One—45 percent; Year Two—55 percent; Year Three—65 percent.

(b) The Work First New Jersey (WFNJ) Housing Assistance Program shall pay the remainder of the rent, up to the Payment Standard for the rental costs in each county. The program shall pay the rental subsidy directly to the rental property owner. The Payment Standard is the Fair Market Rent for each county that is published annually by the United States Department of Housing and Urban Development.

5:42-2.2 Escrow/savings accounts

(a) The program shall establish escrow/savings accounts for participating families. These accounts shall be funded by rental payments that would normally be made to landlords by the program on behalf of assisted tenants had the tenant's income not increased. Because tenants will likely experience increases in wages which require them to pay more toward their rent, the subsidy will generally be reduced.

(b) An escrow/savings account shall be used for possible home purchase or other housing-related costs.

(c) If the subsidy is discontinued, the escrow/savings account shall be closed out, and the funds shall be transferred to the general subsidy account. The general subsidy account is the account established to provide rental subsidy payments to property owners on behalf of participants.

(d) If an escrow/savings account has been established for the participant, the program shall use the proceeds of that account to continue the rental subsidy beyond the extension period provided for in N.J.A.C. 5:42-2.3, for as long as the amount of escrow/savings account funds can pay the rental cost.

(e) In no case shall escrow funds be used to provide a rental subsidy that would exceed three years when added to the previous time period in which rental subsidies are paid. Instead, funds shall be returned to the general subsidy account, and the escrow/savings account shall be canceled.

5:42-2.3 Duration and termination of rental subsidies

(a) Rental subsidies shall continue for up to three years as long as the participant maintains unsubsidized employment.

(b) If the participant loses employment through no fault of his or her own, the rental subsidy shall continue for four months. (See (c) below regarding voluntary quits and good cause.) Regardless of the total extensions that are granted, rental subsidies may not be paid for more than a total of three years for any participant.

1. An extension of the rental subsidy shall be available for four additional months if the recipient shows that he or she is actively seeking employment and is utilizing all avenues for re-employment, including services offered by the Department of Labor. Extensions may be granted more than one time if the participant experiences loss of income through no fault of his or her own. However, under no circumstances shall the total period of subsidies, including all extensions, continue for in excess of three years.