



## 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

AMENDED DECISION

OAL DKT. NO. HPW 13114-23 A.B.

AGENCY DKT. NO. **S594257012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

On April 18, 2024, a Final Agency Decision ("FAD") was issued in this matter. This Amended FAD is being issued to acknowledge the receipt of Exceptions timely filed by the Agency and for consideration of same.

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner WFNJ/GA benefits, contending that she had failed to timely provide required documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 2, 2024, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record remained open until February 20, 2024, to allow for the submission of additional materials by Petitioner and then closed on that date.

On March 11, 2024, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record reflects that Petitioner applied for WFNJ/GA benefits on September 29, 2023, and by notice dated October 6, 2023, was required to provide the Agency with certain documentation by October 30, 2023. See Initial Decision at 2; see also Exhibits R-1, R-2, and N.J.A.C. 10:90-1.6(a), -2.2(a)(5). The Agency acknowledged that Petitioner had timely provided all the required documentation except for verification of her home address, and as such, denied Petitioner WFNJ/GA benefits. See Initial Decision at 2; see also Exhibit R-1, R-2. However, based upon Petitioner's credible testimony, and evidentiary proof of her actions regarding the submission of the document at issue, the ALJ found that Petitioner had submitted proof of her residence in a timely manner, albeit to the Agency's Supplemental Nutrition Assistance Program ("SNAP") unit. See Initial Decision at 3-5; see also Exhibits P-1, P-2, P-3. Further, the ALJ found that, although it is the WFNJ applicant who is responsible for providing the necessary documentation to support their application, N.J.A.C. 10:90-1.6 clearly imposes a responsibility upon the Agency to take some steps to help gather the required information, including seeking alternate sources for that information, which the Agency had failed to do. See Initial Decision at 4-6; see also N.J.A.C. 10:90-1.6(a), (f). Moreover, it appears from the record that had the Agency checked with its SNAP unit, it would have found that the required address verifications had been timely provided to the Agency. See Initial Decision at 4-6. Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/GA benefits to Petitioner was improper, and must be reversed. *Id.* at 5-6; see also Exhibit R-3. I agree. Accordingly, the Agency is directed to provide Petitioner with WFNJ/GA benefits retroactive to September 29, 2023, the date of Petitioner's application for said benefits. See Exhibit R-1; see also N.J.A.C. 10:90-9.16(c).

Exceptions to the Initial Decision were received from the Agency on March 18, 2024.



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.

By way of comments, I have reviewed the Agency's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is REVERSED.

Officially approved final version. April 25, 2024

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Natasha Johnson  
Assistant Commissioner

