

DEPARTMENT OF HUMAN SERVICES

Chris Christie Governor

Kim Guadagno Lt. Governor Division of Family Development P.O. Box 716 TRENTON, NEW JERSEY 08625

Jennifer Velez Commissioner

Jeanette Page-Hawkins Director Tel. (609) 588-2000

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 3740-15 D.M.

AGENCY DKT. NO. GA166689 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's termination of Petitioner's Work First New Jersey/General Assistance ("WFNJ/GA") and Emergency Assistance ("EA"), benefits. The Agency terminated Petitioner's WFNJ/GA benefits because Petitioner's income exceeded the maximum permissible income level for receipt of benefits. Consequently, because Petitioner was no longer a WFNJ/GA recipient, the Agency terminated her EA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 24, 2015, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On March 24, 2015, the ALJ issued her Initial Decision, affirming the Agency's determination. The ALJ found that the credible evidence presented in the matter substantiated the Agency's position that Petitioner's income exceeded the applicable threshold limit for receipt of WFNJ/GA benefits, thereby rendering Petitioner ineligible for benefits WFNJ/GA benefits, and consequently, EA benefits. See Initial Decision at 3; see also N.J.A.C. 10:90-3.5, -6.2. Notably, it is not clear from the record whether or not Petitioner notified the Agency when she became employed in January 2015, as required by N.J.A.C. 10:90-3.11(e).

No Exceptions to this Initial Decision were filed.

HPW Number: 3740-15 Case Number: GA166689 07-90

Page 2

As the Acting 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 decision 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.

MAR 3 1 20015

Signed Copy on File at DFD, BARA

Natasha Johnson Acting Director