



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 7055-14 J.S.

AGENCY DKT. NO. C090630 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") and Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's benefits because it contended that Petitioner had violated his Service Plan by failing to notify the Agency that Petitioner's wife had moved in with Petitioner's assistance unit. The wife's income was above the maximum allowable to receive WFNJ/TANF benefits, thereby causing the termination of Petitioner's WFNJ/TANF benefits, and then Petitioner's EA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 12, 2014, the Honorable Bruce M. Gorman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On September 17, 2014, the ALJ issued an Initial Decision which affirmed the termination of WFNJ/TANF benefits, but reversed the termination of EA benefits. See Initial Decision at 4. The ALJ concluded that the Agency had failed to meet its burden to establish that Petitioner's wife was definitively residing with the assistance unit at the earlier date asserted by the Agency. *Ibid.* The ALJ conceded however, that the reversal of EA benefits had "no practical purpose" due to the necessary predicate that an applicant be a WFNJ or Supplemental Security Income benefits recipient to receive EA benefits. *Ibid.* The ALJ found that the Agency's termination of Petitioner's WFNJ/TANF benefits was proper. *Ibid.*

Neither party submitted Exceptions to the Initial Decision.

As the Director of the Division of Family Development, Department of Human Services, I have considered the Initial Decision and following an independent review of the record, I concur with the ALJ's decision and hereby ADOPT the Initial Decision and AFFIRM the Agency determination.

Accordingly, I hereby ADOPT the Initial Decision and AFFIRM the Agency's determination.

DEC - 1 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director