



## 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 6664-14 M.C.

AGENCY DKT. NO. GA181212 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") benefits because he failed to re-apply with his cousin, who also receives WFNJ/GA benefits, as one assistance unit. Because Petitioner appealed, this matter was transmitted to the Office of Administrative Law for a hearing. On June 17, 2014, the Honorable Sandra Ann Robinson, Administrative Law Judge ("ALJ"), held a hearing, took testimony and admitted documents. On July 24, 2014, the ALJ issued an Initial Decision, which affirmed the Agency's action. The ALJ found Petitioner had "accepted his female cousin to reside in his one bedroom apartment." The ALJ further found Petitioner had failed to cooperate with his WFNJ requirements because he did not apply with his cousin as one assistance unit. The ALJ concluded that the Agency acted appropriately because it is required to "verify household size, composition and income."

No exceptions to the Initial Decision were filed.

As the Director of the Department of Human Services, Division of Family Development, I have considered the record for this matter and the ALJ's Initial Decision, and having made an independent evaluation of the record, I REJECT the ALJ's Initial Decision and REVERSE the Agency's action.

A WFNJ/GA assistance unit typically consists of one adult individual or a couple without dependent children. N.J.A.C. 10:90-2.7(b)(1). A "couple" is defined as "two individuals who live together, function as one economic unit, and present themselves as a couple to the WFNJ agency, . . . ." N.J.A.C. 10:90-2.7(b)(1)(iii). In other situations, such as room and board or residential treatment, "each person is an eligible assistance unit of one." N.J.A.C. 10:90-2.7(b)(1).

Here, I find that Petitioner and his cousin do not qualify as a "couple" merely because they are sharing an apartment. Neither the act of sharing an apartment or entering into a lease together demonstrate that Petitioner and his cousin are functioning as one economic unit, nor have Petitioner and his cousin presented themselves as a couple to the Agency. Also, the Newark Housing Authority's reference to and treatment of Petitioner and his cousin as a "household" for purposes of determining monthly rent does not show that Petitioner and his cousin are a "couple" and one economic unit for purposes of WFNJ/GA benefits. Without additional evidence that Petitioner and his cousin function as one economic unit (e.g. bank account), I cannot conclude that they are a "couple" and therefore, I find the Agency's action in terminating Petitioner's WFNJ/GA benefits was improper.

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

**SEP 11 2014**

*Signed Copy on File*  
at DFD, BARA

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Jeanette Page-Hawkins  
Director