



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 7842-14 S.G.

AGENCY DKT. NO. C109354 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of her Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits and denial of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's WFNJ/TANF benefits and denied her EA because she failed to provide information regarding her household composition. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 26, 2014, the Honorable James A. Geraghty, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On September 8, 2014, the ALJ issued his Initial Decision affirming the Agency determination.

No Exceptions to the Initial Decision were filed.

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

An eligible assistance unit under the WFNJ/TANF program shall consist of individuals who are living together and functioning as one economic unit and whose relationship is based upon a blood and/or legal relationship. N.J.A.C. 10:90-2.7(a)(1). Petitioner and her daughter conceivably constitute an assistance unit, as it was determined that the male residing with Petitioner is not the father of Petitioner's child, nor has he a legal relationship with Petitioner. As such, he would not be considered part of the WFNJ/TANF assistance unit. However, as correctly

stated by the ALJ, the Agency has an obligation to determine the assistance unit and all sources of income. Applicants are required to provide necessary verification, which Petitioner failed to do in this case. Moreover, in determining EA eligibility, recipient contribution shall be assessed on the basis of all income available to the EA household. N.J.A.C. 10:90-6.5(a)(1). Therefore, I concur with the ALJ that the Agency's actions were proper.

By way of comment, from the transmittal documents in this case, it appears that Petitioner is also appealing the termination of her Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits. While the termination of these benefits was not addressed by the ALJ, it is clear from the evidence presented that the Agency properly terminated these benefits as well, based upon the Agency's inability to verify the composition of the household. See N.J.A.C. 10:87-2.19(i).

Based upon the foregoing, I hereby ADOPT the Initial Decision and AFFIRM the Agency action in this matter.

NOV 07 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director