



*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 12760-14 T.D.

AGENCY DKT. NO. C044854 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)

Petitioner appeals from Respondent Agency's termination of her Supplemental Nutrition Assistance Program ("SNAP"), f/k/a Food Stamps, benefits, and the sanctioning of her Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency terminated Petitioner's SNAP, and sanctioned WFNJ/TANF, benefits due to non-compliance with her work activity. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 18, 2014, the Honorable John S. Kennedy, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On December 2, 2014, the ALJ issued his Initial Decision reversing the Agency's determination. The ALJ noted that Petitioner asserted that she did not receive a June 25, 2014, notice advising her of a July 31, 2014, appointment at the Agency. See Initial Decision at 2. The ALJ further noted that Petitioner maintained that on the date of the scheduled appointment, she was, in fact, at her Community Work Experience Program ("CWEP") activity. *Ibid.* The ALJ stated that the Agency was not able to produce a copy of the June 25, 2014 notice, and also commented that the Petitioner provided proof to the Agency of her attendance at her CWEP activity on the date in question, and the Agency acknowledged receipt of that proof. See *id.* at 3. Based upon these facts, the ALJ concluded that Petitioner had provided good cause for not attending the July 31, 2014, appointment at the Agency, and as such, the sanctioning of Petitioner's WFNJ/TANF and SNAP benefits was to be rescinded and Petitioner's benefits restored to her. See *id.* at 6-7.

No Exceptions to the Initial Decision were filed by either party.

As the Director of the Division of Family Development, Department of Human

Services, I have considered the record in this matter and the ALJ's Initial Decision and I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter. The Agency in this matter acknowledged receipt of proof that established Petitioner's good cause basis for missing the July 31, 2014, appointment at the Agency. Moreover, as adeptly stated by the ALJ, "There would be no reason for Petitioner to go to her work activity as opposed to the appointment if she had knowledge of the latter." The totality of the credible evidence presented in this matter supports the finding by the ALJ that Petitioner had good cause for missing the July 31, 2014 appointment, and accordingly, the sanction should be rescinded and Petitioner's benefits restored to her.

Accordingly, the Initial Decision in this matter is ADOPTED and the Agency's actions are hereby REVERSED.

DEC - 9 2014

*Signed Copy on File*  
at DFD; BARA

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Jeanette Page-Hawkins  
Director