



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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NATASHA JOHNSON
Director

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 09949-18 G.B.

AGENCY DKT. NO. C134782002 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA"), Supplemental Nutrition Assistance Program ("SNAP"), and Emergency Assistance ("EA"), benefits. The Agency terminated Petitioner's WFNJ/GA, and SNAP benefits, contending that Petitioner failed to provide requested information regarding an unreported household member, and terminated Petitioner's EA benefits because she was no longer a WFNJ cash benefits recipient, nor was she a Supplemental Security Income ("SSI") benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 2, 2018, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On August 2, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner was receiving WFNJ/GA benefits as an assistance unit ("AU") of one, that she was receiving SNAP benefits as a household of one, and that she was receiving EA in the form of Temporary Rental Assistance ("TRA") for an apartment where it was understood by the Agency that she was the only resident. See Initial Decision at 2; see also Exhibit R-1 at 1. Through a fraud investigation conducted by the Agency, it was discovered that Petitioner had an unreported female ("R.T.") residing with her. See Initial Decision at 2; see also Exhibit R-1 at 1-2. R.T.'s residency at Petitioner's apartment was substantiated by the fact that she had a driver's license listing Petitioner's residence as her address, and she had applied for SNAP and Medicaid benefits using Petitioner's address as her own. See Initial Decision at 3; see also Exhibit R-1 at 7-12. Thereafter, for purposes of continued eligibility for WFNJ/GA, SNAP, and EA benefits, Petitioner was required to provide the Agency with documentation verifying her household makeup, but failed to do so. See Initial Decision at 2-3; see also Exhibit R-1 at 3. The only document Petitioner provided to the Agency was a police report, dated after the termination of her benefits, wherein she stated that R.T. was only living with her temporarily, and is using Petitioner's address without authorization, which will cause her to lose her rental assistance and her apartment. See Initial Decision at 2-3; see also Exhibit R-1 at 4.

The ALJ found Petitioner's claim that R.T. was not residing with her, and was using her address without her approval or knowledge, to be contradictory and not credible. See Initial Decision at 3-4; see also Exhibit R-1 at 4, 16. Based on the testimony of the parties and the evidence presented, the ALJ found Petitioner ineligible for WFNJ/GA benefits because she failed to provide the Agency with the documentation required to verify the makeup of her AU, found Petitioner ineligible for SNAP benefits because she failed to provide the documentation required to determine exactly who constitutes her household, and found Petitioner ineligible for EA benefits because she was not a WFNJ/GA or SSI benefits recipient. See Initial Decision at 4-5; see also Exhibit R-1 at 1-2, 7-12, and N.J.A.C. 10:90-1.6(a), -2.2(a)(5), -6.2(a), and N.J.A.C. 10:87-2.1, -2.19(a) through (m). Accordingly, the ALJ concluded that that Agency's termination of



Petitioner's WFNJ/GA, SNAP, and EA benefits was proper and must stand. See Initial Decision at 5; see also Exhibit R-1 at 13-15. I agree.

Exceptions to the Initial Decision were filed by Petitioner on August 21, 2018.

As the 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 final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

By way of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her current needs, including Social Services for the Homeless.

By way of further comment, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED.

Officially approved final version.

AUG 21 2018

Natasha Johnson

Director

