



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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Commissioner

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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 16322-18 H.F.

AGENCY DKT. NO. C223754007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits, the termination of Supplemental Nutrition Assistance Program ("SNAP") benefits, and the termination of Petitioner's Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency terminated Petitioner's WFNJ/GA and SNAP benefits contending that she failed to provide requested documentation. The Agency also denied Petitioner's application for EA benefits contending that she failed to provide requested documentation, and that she is not a WFNJ cash benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for December 3, 2018. On that date, the parties executed a Withdrawal of Appeal and Fair Hearing Request/Settlement ("Withdrawal/Settlement"). Thereafter, Petitioner rescinded the Withdrawal/Settlement, and requested a new hearing date. On December 18, 2018, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open to permit the Agency to provide additional documentation, and then closed on December 21, 2018. On December 28, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination.

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 reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination.

An applicant/recipient, as a condition of eligibility for WFNJ/GA benefits, shall, among other things, provide all necessary documentation. See N.J.A.C. 10:90-2.2(a)(5).

Only WFNJ cash benefits recipients and Supplemental Security Income ("SSI") recipients are eligible for EA benefits. See N.J.A.C. 10:90-6.2(a).

Here, the record reflects that on September 25, 2018, Petitioner submitted an application for EA benefits. See Initial Decision at 2; see also Exhibit R-3. In order to continue processing Petitioner's



application for EA benefits, as well as Petitioner's application for SNAP benefits, the Agency requested that Petitioner provide, no later than October 9, 2018, a copy of her homeowner's insurance policy and bank statements for the three prior years. See Initial Decision at 2; see also Exhibits R-4, R-8. On October 9, 2018, the Agency requested that Petitioner provide, no later than October 19, 2018, a verification of persons residing on the second floor of Petitioner's home. See Exhibit R-9. The ALJ found, and Petitioner acknowledged, that she never provided the requested documents by the deadline dates. See Initial Decision at 3. As a result, on November 2, 2018, the Agency notified Petitioner that her application for EA benefits was denied. Id. at 2; see also Exhibit R-5, and N.J.A.C. 10:90-2.2(a) (5). Additionally, also because Petitioner had not provided the requested documentation or verification, the ALJ concluded that the Agency's termination of Petitioner's SNAP and WFNJ/GA benefits was proper and must stand. See Initial Decision at 3-4. Finally, the ALJ also concluded that Petitioner is ineligible for EA benefits, as she is not a WFNJ or SSI benefits recipient. See Initial Decision at 4; see also N.J.A.C. 10:90-6.2(a). I agree.

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

Officially approved final version.

JAN 10 2019

Natasha Johnson
Director

