



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 16292-18 S.E.

AGENCY DKT. NO. C141046003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF"), and Emergency Assistance ("EA"), benefits. The Agency terminated Petitioner's WFNJ/TANF benefits, contending that Petitioner's income put her over the maximum benefit level allowable for WFNJ/TANF eligibility, and terminated Petitioner's EA benefits because she was no longer a WFNJ/TANF 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. A hearing was initially scheduled for December 11, 2018, but was adjourned at the request of Petitioner. On January 16, 2019, the Honorable David M. Fritch, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On January 31, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner began working on August 2, 2018, and that after applying the appropriate income disregards in accordance with N.J.A.C. 10:90-3.8(b), the Agency terminated Petitioner's WFNJ/TANF benefits, effective October 1, 2018, as her earned income had exceeded the maximum WFNJ/TANF benefit level allowable for an assistance unit of three, such as Petitioner's. See Initial Decision at 2-5; see also Exhibits R-3, R-8, R-9, and N.J.A.C. 10:90-3.3(b), -3.9, -3.11. Also, because Petitioner was no longer a WFNJ/TANF benefits recipient, and was not an SSI benefits recipient, the Agency terminated her EA benefits. See Initial Decision at 3; see also Exhibit R-1, and N.J.A.C. 10:90-6.2(a) (limiting eligibility for EA benefits to WFNJ and SSI benefits recipients). Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/TANF and EA benefits was proper and must stand. See Initial Decision at 5-6; see also Exhibits R-1, R-3. I agree.

No Exceptions to the Initial Decision were received.

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, should Petitioner's financial circumstances change, she may reapply for WFNJ/TANF and EA benefits. See Initial Decision at 3; see also N.J.A.C. 10:90-2.2(a)(4), -6.2(a).

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



Officially approved final version.

Natasha Johnson
Director

MAR 07 2019

