



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 09846-19 V.N.

AGENCY DKT. NO. C087392002 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF"), Supplemental Nutrition Assistance Program ("SNAP"), and Emergency Assistance ("EA") benefits. The Agency denied Petitioner WFNJ/TANF and SNAP benefits, contending that Petitioner had failed to provide information, and denied Petitioner EA benefits because she was not a WFNJ benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 13, 2019, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. A Spanish interpreter was present for the hearing.

On August 14, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reveals that on July 5, 2019, Petitioner was denied WFNJ/TANF and SNAP benefits for failure to provide information. See Initial Decision at 2; see also Exhibit R-18, and N.J.A.C. 10:90-2.2(a)(5), N.J.A.C. 10:87-2.14. Because Petitioner was denied WFNJ/TANF benefits, on July 18, 2019, she was also denied EA benefits. See Initial Decision at 2; see also Exhibit R-2, and N.J.A.C. 10:90-6.2(a). On the date of the hearing, the ALJ found that Petitioner had since provided the information required by the Agency to determine her WFNJ/TANF and SNAP benefits eligibility, and noted that she was currently receiving said benefits. See Initial Decision at 2; see also Exhibit R-3. Nevertheless, the ALJ found that, although Petitioner was currently receiving WFNJ/TANF and SNAP benefits, at the time of the denial of those benefits on July 5, 2019, Petitioner had not yet provided the necessary documentation to the Agency. See Initial Decision at 3. As such, the ALJ found that the Agency's July 5, 2019, denial of WFNJ/TANF and SNAP benefits to Petitioner was proper. See Initial Decision at 3-4; see also Exhibit R-18, and N.J.A.C. 10:90-2.2(a)(5), N.J.A.C. 10:87-2.14. Further, the Agency confirmed that Petitioner owed no rent, and that her rent was paid in full until September 1, 2019. See Initial Decision at 2. While Petitioner testified that she was concerned about rent going forward, as neither she, nor her spouse, were working, Petitioner has no current housing emergency. See Initial Decision at 2; see also N.J.A.C. 10:90-6.1(c). Accordingly, the ALJ found that the Agency's denial of EA benefits to Petitioner was also proper, as she did not qualify for said benefits at the time of the denial, nor at the time of the hearing. See Initial Decision at 3-4; see also Exhibit R-2, and N.J.A.C. 10:90-6.2(a), -6.3(a)(1)(ii). 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 Initial Decision in this matter, and following an independent evaluation of the record, I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter.

By way of comment, Petitioner is without prejudice to reapply for EA benefits if imminent homelessness occurs, in accordance with regulatory authority. See N.J.A.C. 10:90-6.1(c), -6.3(a)(1)(ii).

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

Officially approved final version.

AUG 27 2019

Natasha Johnson

Director

