



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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TRENTON, NJ 08625-0716

NATASHA JOHNSON
Assistant Commissioner

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 08817-20 A.F.

AGENCY DKT. NO. C013390010 (HUNTERDON COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey ("WFNJ") benefits in the form of car maintenance assistance. The Agency denied such WFNJ benefits, contending that the car repair estimates exceed the allowable benefit maximum, and that such car maintenance assistance was not necessary as work requirements were suspended due to COVID-19. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 13, and October 27, 2020, the Honorable Elia A. Pelios, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On January 19, 2021, the ALJ issued an Initial Decision, reversing the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, and MODIFY the Agency's determination, based on the discussion below.

Here, the ALJ found that regulatory authority allowed for Petitioner to receive up to \$800 in car maintenance assistance, and that if such assistance was provided, he would be able to engage in work or look for work. See Initial Decision at 4-6; see also N.J.A.C. 10:90-5.4(a), -5.5(a)(1). The ALJ found that the bases relied upon by the Agency to deny such WFNJ benefits to Petitioner, were insufficient to sustain such a denial. See Initial Decision at 5; see also Exhibit R-1. More specifically, the ALJ found that the Agency's denial of said WFNJ benefits to Petitioner, on the bases that he had failed to provide three car repair estimates, that he was working less than 20 hours per week, and that the work requirements were waived due to COVID-19, was not consistent with the relevant regulatory authority. See Initial Decision at 2, 5; see also Exhibit R-1, and N.J.A.C. -5.5(a)(1). I agree.

However, I find that Petitioner's receipt of \$800 in WFNJ car maintenance assistance is contingent upon Petitioner providing proof to the Agency that the totality of the necessary car repairs will be completed by a reputable auto repair shop, for the total amount of \$800. See N.J.A.C. 10:90-5.5(a)(1). See Initial Decision at 3-4; see also Exhibit R-1. Also, I find that if Petitioner fails to provide such proof to the Agency within 30 days from the date of the issuance of this Final Agency Decision, the Agency's denial



of WFNJ benefits, in the form of car maintenance assistance to Petitioner, will stand as issued. Also, the Agency is directed to pay any such car repair payments directly to the vendor/auto repair shop. The Initial Decision and the Agency's determination are modified to reflect this finding.

By way of comment, the Agency submitted into the record a car repair estimate, totaling \$754.59, and Petitioner is advised to reach out to that auto repair shop for service. See Exhibit R-1.

Accordingly, the Initial Decision is hereby MODIFIED, and the Agency's determination is MODIFIED, as outlined above.

MAR 11 2021

Officially approved final version.

Natasha Johnson
Assistant Commissioner

