



State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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SARAH ADELMAN  
*Acting Commissioner*

SHEILA Y. OLIVER  
*Lt. Governor*

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 01626-21 D.H.

AGENCY DKT. NO. C138688002 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner appeals the correctness of the Respondent Agency's reduction of Petitioner's Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits and the denial Emergency Assistance ("EA") benefits. The Agency reduced Petitioner's WFNJ/TANF monthly benefits amount due to receipt of Unemployment Insurance Benefits ("UIB") by Petitioner. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 11, 2021, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open to allow Petitioner additional time to submit documents. No such documentation was received and the record then closed on March 15, 2021.

On March 18, 2021, the ALJ issued an Initial Decision, affirming the Agency's reduction of Petitioner's WFNJ/TANF benefits, and dismissing Petitioner's EA benefits denial appeal. Here, the ALJ found, and the record substantiates, that the Agency had properly reduced Petitioner's monthly WFNJ/TANF benefit amount due to her receipt of UIB and weekly court ordered child support payments. See Initial Decision at 3-4; see also Exhibits R-5 through R-8. Petitioner claimed that she was not receiving UIB, and the record was held open to allow Petitioner the opportunity to provide proof of that claim. See Initial Decision at 1; see also Exhibits P-1, P-2. However, the ALJ found that Petitioner had failed to provide any credible evidence to substantiate her claim. See Initial Decision at 4. Based on the foregoing, the ALJ concluded that the Agency's reduction of Petitioner monthly WFNJ/TANF to \$22.00 per month was proper and must stand. *Id.* at 3-4; see also Exhibit R-2, and N.J.A.C. 10:90-3.1, -3.8. I agree.

Additionally, the record reflects, and Petitioner acknowledged, that she is currently receiving EA benefits and presently residing in a motel placement. See Initial Decision at 2; see also Exhibit R-4. The record also reflects that Petitioner's termination from a prior housing program placement was independent of the EA benefits program, and said termination had to be appealed in accordance with that program's rules and regulations. See Initial Decision at 2-3; see also Exhibits R-9 through R-12. Based on the foregoing, the ALJ concluded that Petitioner's appeal of a denial of EA benefits was without merit, and must be dismissed. See Initial Decision at 3. I also agree.

No Exceptions to the Initial Decision were received.



As Assistant Commissioner, 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.

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

Officially approved final version.      MAY 06 2021

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Natasha Johnson  
Assistant Commissioner

