



State of New Jersey

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*Governor*

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 10746-20 J.S.

AGENCY DKT. NO. S629802012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency terminated Petitioner's WFNJ/GA benefits because his total monthly income put him over the maximum allowable benefit level for continued receipt of WFNJ/GA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for March 2, 2021, but was adjourned at the request of Petitioner. The matter was rescheduled for March 19, 2021, but that date was also adjourned. The case was again rescheduled, and on April 6, 2021, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record remained open for Petitioner to submit additional documentation and then closed on April 9, 2021. On April 28, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), 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, based on the discussion below.

In order to be eligible for WFNJ/GA benefits, the total countable income of the unemployable single adult, or couple without dependent children, must be equal to or less than the maximum benefit payment level for the size of the assistance unit as set out in Schedule V at N.J.A.C. 10:90-3.6(a). See N.J.A.C. 10:90-3.1(b)(1). Effective July 1, 2019, the benefit level for an unemployable WFNJ/GA assistance unit that consists of one individual is \$277 per month. See N.J.A.C. 10:90-3.6(a); see also DFD Informational Transmittal ("IT") No. 19-12.

Here, the record reflects that Petitioner was determined eligible for Retirement, Survivors and Disability Insurance ("RSDI") benefits and advised by the Social Security Administration on September 17, 2020, that he would begin receiving recurring monthly RSDI benefits in the amount \$618. See Initial Decision at 2; see also Exhibit R-C. That letter further advised that, at Petitioner's request, his RSDI benefits would now be directed to a different financial institution than that previously designated by Petitioner. See Initial Decision at 2-3; see also Exhibit R-C. As Petitioner's monthly unearned income



from RSDI benefits exceeded the unemployable WFNJ/GA maximum benefit level of \$277, Petitioner was no longer eligible for WFNJ/GA benefits, and the Agency terminated Petitioner's WFNJ/GA benefits effective November 1, 2020. See Initial Decision at 3; see also N.J.A.C. 10:90-3.6(a) and Exhibit R-A. While Petitioner maintained that he had not received any RSDI payments, the record contradicted Petitioner's assertion, and Petitioner could not present any evidence to substantiate his claim. See Initial Decision at 4. Therefore, based on the record presented, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/GA benefits was proper and must stand. See Initial Decision at 4-5. I agree.

By way of comment, while the transmittal in this matter indicates that Petitioner was also challenging the correctness of his monthly Supplemental Nutrition Assistance Program ("SNAP") benefits allotment amount, the Initial Decision states that Petitioner was no longer contesting that amount. See Initial Decision at 2. As such, that issue is not address in this Final Agency Decision and is hereby dismissed as moot.

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

MAY 27 2021

Officially approved final version.

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Natasha Johnson  
Assistant Commissioner

