



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT

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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 05415-21 S.D.

AGENCY DKT. NO. C074074009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's termination of her Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits, and the reduction of her Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's WFNJ/TANF benefits, contending there were no eligible children in the household, and reduced Petitioner's SNAP benefits due to the purported change in household composition. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 15, 2021, the Honorable JoAnn LaSala Candido, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On July 15, 2021, the ALJ issued an Initial Decision, reversing the Agency's determinations.

Here, the record reflects that Petitioner has custody of her six grandchildren, all of whom reside with her in Section 8 housing. See Initial Decision at 2. Petitioner testified that her estranged daughter does not reside with her. Ibid. Petitioner does not know her estranged daughter's whereabouts, yet the estranged daughter has been using Petitioner's address, despite not residing there, to obtain unemployment and welfare benefits. Ibid. At the hearing, the Agency representative confirmed that the documents presented by Petitioner, including the lease for Petitioner's Section 8 housing, supported Petitioner's assertion that only Petitioner and the six grandchildren resided at the home. Ibid. Furthermore, the Agency acknowledged that Petitioner would continue to be eligible for WFNJ/TANF and SNAP benefits, but for the information received about the estranged daughter residing with Petitioner. Ibid. Finding Petitioner's testimony credible, the ALJ found that Petitioner is entitled to continued WFNJ/TANF and SNAP benefits, effective from April, 2021, and reversed the Agency's determinations and directed the Agency to reopen Petitioner's case accordingly. Ibid. I 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 REVERSED.



Officially approved final version.

AUG 26 2021

Natasha Johnson
Assistant Commissioner

