



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 03024-21 T.H.

AGENCY DKT. NO. C415631016 (PASSAIC COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency denied Petitioner WFNJ/TANF benefits, contending that she failed to provide documentation required to determine her WFNJ/TANF benefits eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 17, 2021, the Honorable Jude-Anthony Tiscornia, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On May 21, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that Petitioner had failed to provide the Agency with documentation regarding the source of income from which her court ordered child support payments were being garnished, and that such documentation was required by the Agency to determine her WFNJ/TANF benefits eligibility. See Initial Decision at 2-3; see also Exhibit R-1 at 3-7. The record reflects that Petitioner applied for WFNJ/TANF benefits on January 28, 2021, and that her child support payments were being garnished from her "Employer Wage" form November 12, 2021, through April 11, 2021, which the ALJ found was indicative of Petitioner being employed in some capacity or otherwise receiving regular funds. See Initial Decision at 2; see also Exhibit R-1 at 3-7. Petitioner claimed that she did not know from what income source her child support payments were being garnished as the record reflects that she was last employed in August 2019, and her Unemployment Insurance Benefits ("UIB") ceased on August 22, 2020. See Initial Decision at 3; see also Exhibit R-1 at 3, 14-18. Petitioner also claimed that her mother may have stolen her identity and was making the child support payments on her behalf. See Initial Decision at 3. At the hearing, Petitioner testified that she could not, at that time, provide the required documentation to the Agency. Ibid. Based on the foregoing, the ALJ concluded that Petitioner is the primary source of the information requested, that she cannot provide the required information, and that said information is necessary for the Agency to determine her WFNJ/TANF benefits eligibility. Ibid. Accordingly, the ALJ further concluded that the Agency's denial of WFNJ/TANF benefits to Petitioner was proper and must stand. Id. at 3-4; see also Exhibit P-1, and N.J.A.C. 10:90-1.6(a), -2.2(a)(5). I agree.

Exceptions to the Initial Decision were filed by Legal Services, on behalf of Petitioner, on June 1, 2021.



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.

By way of comment, I have reviewed the Exceptions submitted on behalf of Petitioner, and I find that the arguments made therein do not alter my decision in this matter.

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

Officially approved final version.

JUN 29 2021

Natasha Johnson
Assistant Commissioner

