



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 05137-21 Z.E.

AGENCY DKT. NO. C173034015 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits and the denial of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's WFNJ/TANF benefits, contending that she had failed to provide income verifications as requested. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 16, 2021, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On July 26, 2021, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the ALJ found that Petitioner had failed to timely provide the Agency with the income verification documentation that it had requested. See Initial Decision at 2-3, 5; see also Exhibit R-2. However, the ALJ found that Petitioner had good cause for failing to do so. See Initial Decision at 6-7. Specifically, the ALJ found Petitioner credible when she testified that she could not get the information requested to the Agency by the date it had specified, because at that time she had been dealing with her son's mental health issues, which required hospitalization, while at the same time dealing with domestic violence, which resulted in her extreme hardship and inability to comply. *Id.* at 3-5; see also Exhibits R-6, R-7. The ALJ also found that the Agency had not given Petitioner sufficient time to respond to its request prior to its termination of Petitioner's WFNJ/TANF benefits on May 14, 2021, and moreover, found that there was no regulatory authority dictating the ten day response time requirement given by the Agency for the submission of such documentation. See Initial Decision at 6-7; see also Exhibits R-2, R-4, and N.J.A.C. 10:90-1.6(f), -2.2(a)(5). Of note, it appears from the record that Petitioner had resumed employment in May 2021. See Initial Decision at 2-3; see also Exhibits R-9, R-12. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/TANF benefits was improper, and ordered the Agency to provide Petitioner with said benefits for the period beginning June 1, 2021, and ending June 30, 2021. See Initial Decision at 6-7; see also Exhibit R-4, and N.J.A.C. 10:90-3.8(b). I agree.

Exceptions to the Initial Decision were filed by the Agency on August 4, 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, the transmittal in this matter indicates that Petitioner also appealed a denial of SNAP benefits. However, the ALJ found that the Agency has since approved Petitioner for SNAP benefits, and as such, did not address that issue in the Initial Decision. See Initial Decision at 3; see also Exhibit R-11. Petitioner's SNAP issue now being moot, it has not been addressed in this Final Agency Decision.

By way of further comment, because it appears from the record that Petitioner has recently been the victim of domestic violence, the Agency is to refer Petitioner for a Family Violence Option risk assessment, pursuant to N.J.A.C. 10:90-20.1 et seq., if it has not already done so. See Initial Decision at 3-5.

Also by way of further comment, I have reviewed the Agency's Exceptions, 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 REVERSED.

Officially approved final version.

AUG 31 2021

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Natasha Johnson  
Assistant Commissioner

