



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

SARAH ADELMAN
Commissioner

TAHESHA L. WAY
Lt. Governor

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 13683-23 A.F.

AGENCY DKT. NO. C170122003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits, and the denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner WFNJ/TANF benefits, contending that she failed to provide the Agency with required documents it had requested, needed to determine WFNJ/TANF eligibility. The Agency denied Petitioner EA benefits because she was not a WFNJ, nor Supplemental Security Income ("SSI"), benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 14, 2023, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents.

Also on December 14, 2023, the ALJ issued an Initial Decision, reversing the Agency's determination. The ALJ in this matter issued a very thorough and comprehensive Initial Decision, outlining the procedural history, and providing a detailed and well thought out analysis, applying law to fact. See Initial Decision at 2-7. Specifically, the ALJ found, and the Agency acknowledged, that the sole reason for its denial of WFNJ/TANF benefits to Petitioner was her failure to provide ninety-days of Door Dash income statements for her partner ("A.B."). *Id.* at 2-3, 6; see also Exhibit R-C, and N.J.A.C. 10:90-2.2(a)(5), (d). However, the ALJ found that neither Petitioner, nor A.B. were employed by Door Dash during the ninety-day period at issue. See Initial Decision at 3-4, 6. Based on the testimony and documentary evidence, the ALJ concluded that Petitioner had timely complied with the Agency's request for documentation to the best of her understanding and ability, and had good cause for not providing proof of income that had not been earned. *Id.* at 4-7; see also Exhibits P-1, R-B. Accordingly, the ALJ determined that the Agency's denial of WFNJ/TANF benefits to Petitioner was improper and must be reversed. See Initial Decision at 7; see also Exhibit R-C, and N.J.A.C. 10:90-1.6, -2.2(a)(5), (d). I agree. Further, the ALJ concluded that because the Agency's denial of EA benefits was based upon its denial of WFNJ/TANF benefits to Petitioner, that its denial of EA benefits was also improper and must be reversed. See Initial Decision at 7; see also Exhibit R-D, and N.J.A.C. 10:90-6.2(a). I also agree.

Exceptions to this Initial Decision were filed by the Agency on December 15, 2023.

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 Agency's Exceptions, and find that the arguments made therein do not alter my decision in this matter.

Accordingly, the Initial Decision in this matter is hereby ADOPTED and the Agency's determination is REVERSED.



Officially approved final version. December 28, 2023

Natasha Johnson
Assistant Commissioner

