



State of New Jersey

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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 **06472-23 C.S.**

AGENCY DKT. NO. **C158722020 (UNION COUNTY DIVISION OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. At redetermination, the Agency denied Petitioner continued WFNJ/TANF benefits, contending that she failed to provide required documentation needed to determine her continued WFNJ/TANF benefits eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 25, 2023, the Honorable Gail M. Cookson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On August 28, 2023, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record reflects that on May 10, 2023, Petitioner was interviewed by the Agency for a redetermination of eligibility for continued WFNJ/TANF benefits, and that she was required to provide certain documentation to the Agency in order to determine said eligibility. See Initial Decision at 2; see also Exhibit R-1 at 3, 8, 11, 13-32, and N.J.A.C. 10:90-3.22(a)(1), (b). On June 19, 2023, without any further communication with Petitioner regarding another opportunity to provide the required documentation, the Agency denied Petitioner continued WFNJ/TANF benefits, and terminated said benefits effective June 12, 2023. See Initial Decision at 2, 4; see also Exhibit R-2 at 1-4, and N.J.A.C. 10:90-3.22(c). However, the ALJ found, and the record substantiates, that Petitioner had timely provided the Agency with all necessary documentation on May 16, 2023, with the exception of one remaining required document which was provided on May 23, 2023. See Initial Decision at 2-3; See also Exhibits P-2, R-2 at 8-15, R-3 at 1-8. Moreover, the Agency representative testified that she had no personal knowledge of what documents were submitted and when, and that she had no prior involvement in Petitioner's case. See Initial Decision at 3. Consequently, the ALJ found that the Agency had provided no competent evidence to refute that Petitioner had provided all required documentation. *Ibid.* Additionally, the ALJ found that Petitioner had not been properly noticed of the Agency's adverse action against her. *Id.* at 2, 4; see also Exhibit R-2 at 1-3, and N.J.A.C. 10:90-9.1(b). Based on the foregoing, the ALJ concluded that that Agency's denial of continued WFNJ/TANF benefits to Petitioner was improper, and ordered the Agency to provide Petitioner with WFNJ/TANF benefits retroactive to July 1, 2023. See Initial Decision at 4; see also Exhibit R-2 at 1-4. 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. September 21, 2023

Natasha Johnson
Assistant Commissioner

