



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 **10149-23 D.K.**

AGENCY DKT. NO. **C829346007 (ESSEX COUNTY DEPT. OF CITIZEN SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA"), Emergency Assistance ("EA"), and Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency denied Petitioner WFNJ/GA and SNAP benefits, contending that she was an ineligible college student. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 2, 2023, and October 4, 2023, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On October 6, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found, and the record substantiates, that, at time Petitioner applied for WFNJ/GA, SNAP, and EA benefits on February 28, 2023, she was enrolled as a college student. See Initial Decision at 2; see also Exhibits P-1, R-4, R-7, and R-9. Based on the foregoing, the ALJ concluded that in accordance with applicable regulatory authority and policy, Petitioner was ineligible for WFNJ/GA and SNAP benefits, and therefore concluded that the Agency's denial of WFNJ/GA and SNAP benefits to Petitioner was proper and must stand. See Initial Decision at 2-5; see also Exhibits R-2, R-3, R-10, and N.J.A.C. 10:90-2.11(b)(3), N.J.A.C. 10:87-3.14. The ALJ also found that Petitioner had failed to provide the Agency with requested documentation required to determine her eligibility for SNAP benefits, and on that basis, concluded that the Agency's denial of SNAP benefits to Petitioner was proper and must stand. See Initial Decision at 3; see also Exhibits R-5, R-6, and N.J.A.C. 10:87-2.19. I agree. Additionally, the ALJ found that Petitioner is residing with her mother, and as such, is not currently homeless or imminently homeless. See Initial Decision at 2-4. Accordingly, the ALJ concluded that no emergency exists, and as such, further concluded that the Agency's denial of EA benefits to Petitioner was also proper and must stand. *Id.* at 4-5; see also N.J.A.C. 10:90-6.1(c). I also agree.

Of note, the record indicates that Petitioner may now be eligible for EA benefits as she has reapplied for WFNJ/GA, SNAP, and EA benefits, she is not currently enrolled as a college student, and she may be homeless upon the birth of her child expected in November 2023. See Initial Decision at 4-5; see also N.J.A.C. 10:90-6.1 *et seq.*



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 AFFIRMED.

Officially approved final version.

October 17, 2023

Natasha Johnson

Assistant Commissioner

