



## State of New Jersey

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*Governor*

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 **01646-23 F.P.**

AGENCY DKT. NO. **S566321012 (MIDDLESEX COUNTY BD. OF SOC. 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 benefits, contending that she failed to comply with the mandatory WFNJ 28-day work activity, and failed to provide required documentation; denied Petitioner EA benefits because she was not a WFNJ, or a Supplemental Security Income ("SSI"), benefits recipient; and denied Petitioner SNAP benefits because she failed to provide required documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. Hearing dates were scheduled for January 24, 2023, and February 9, 2023, but Petitioner failed to appear for either scheduled date. On February 27, 2023, the Honorable Carl V. Buck, III, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On February 28, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Eligibility for WFNJ/GA cash assistance benefits for an employable applicant shall commence after the applicant has completed a minimum of 28 days in an employment-related activity through Labor and Workforce Development. See N.J.A.C. 10:90-1.2(f)(8). An employable applicant's failure to comply with the employment-related activity requirement, without good cause, shall result in a denial of the applicant's WFNJ/GA application and a 30-day period of ineligibility. Ibid.

Only WFNJ cash assistance recipients and SSI benefits recipients are eligible for EA benefits. See N.J.A.C. 10:90-6.2(a).



In order to determine eligibility for SNAP benefits, mandatory verification of certain information is required, such as household income, both earned and unearned income. See N.J.A.C. 10:87-2.19, -2.20.

Here, the record reflects that Petitioner applied for WFNJ/GA benefits and was required to complete the mandatory 28-day work activity in order to be eligible for said benefits. See Initial Decision at 2-4; see also N.J.A.C. 10:90-1.2(f)(8). As part of the application process, Petitioner was also required to provide certain documentation required to determine her eligibility for said benefits. See Initial Decision at 3-4; see also N.J.A.C. 10:90-2.2(a)(5). The ALJ found that Petitioner failed to comply with the required work activity, and failed to provide the required documentation, resulting in the Agency's denial of WFNJ/GA benefits to Petitioner, and imposition of a 30-day ineligibility penalty prohibiting Petitioner from reapplying for WFNJ/GA benefits during that penalty period. See Initial Decision at 3-4; see also Exhibit R-9, and N.J.A.C. 10:90-1.2(f)(8), -1.6(a), -2.2(a)(5). Petitioner failed to provide any testimony or substantiating documentation to establish good cause for her failure to comply with the required work activity. See Initial Decision at 3-4. Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/GA benefits, and the imposition of a 30-day ineligibility penalty, were proper and must stand. Id. at 5-6; see also Exhibit R-9. I agree. Further the ALJ found that Petitioner was ineligible for EA benefits because she was not a WFNJ, nor a SSI benefits recipient, and on that basis, affirmed the Agency's denial of EA benefits to Petitioner. See Initial Decision, at 2 fn1, 4, 6; see also Exhibit R-10, and N.J.A.C. 10:90-6.2(a). I also agree. Additionally, the ALJ found that Petitioner failed to provide the Agency with requested documentation required to determine his eligibility for SNAP benefits. See Initial Decision at 3-5. Accordingly, the ALJ concluded that the Agency's denial of SNAP benefits to Petitioner was proper and must stand. See Initial Decision at 6; see also N.J.A.C. 10:87-2.14, -2.19, -2.20.

By way of comment, Petitioner may now reapply for WFNJ/GA and EA benefits as the 30-day WFNJ benefits ineligibility penalty period expired on December 28, 2022, which is 30 days from the effective date of the Agency's denial of WFNJ/GA benefits, November 29, 2022. See Exhibit R-9; see also N.J.A.C. 10:90-1.2(f)(8). Petitioner is also without prejudice to reapply for SNAP benefits, but must provide all information and documentation requested in order to determine eligibility.

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

Officially approved final version. March 7, 2023

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Natasha Johnson  
Assistant Commissioner

