



State of New Jersey

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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 **01921-23 G.R.**

AGENCY DKT. NO. **C273092009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency terminated Petitioner's WFNJ/TANF, contending that the Agency was unable to locate Petitioner. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 26, 2023, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On April 27, 2023, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, upon learning from its WFNJ program unit that it was unable to locate Petitioner, the Agency terminated Petitioner's WFNJ/TANF benefits. See Initial Decision at 2; see also N.J.A.C. 10:90-2.1(b), -2.2(a)(5), (d). However, the ALJ found that the Agency had failed to provide any information at the hearing as to any attempts it had made to contact Petitioner. See Initial Decision at 2-3. Specifically, the ALJ found that the Agency had provided no testimony that it had attempted to call or send a notice to Petitioner prior to its termination of his WFNJ/TANF benefits. *Ibid.* Further, the ALJ found that there was no indication as to why the WFNJ program unit could not locate Petitioner. *Id.* at 3. Moreover, the ALJ found that Petitioner had received said termination notice at the address that he had provided to the Agency on his April 2022, application for a redetermination of eligibility for continued WFNJ/TANF benefits. *Id.* at 2. Based on the foregoing, the ALJ found that the Agency had not demonstrated, by a preponderance of the credible evidence, that it properly terminated Petitioner's WFNJ/TANF benefits on the basis of its inability to locate Petitioner. *Id.* at 3; see also N.J.A.C. 1:1-2.1, N.J.A.C. 1:1-15.5, and N.J.R.E. 101(b) (1). Accordingly, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/TANF benefits was improper and must be reversed. *Ibid.* 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. June 07, 2023

Natasha Johnson
Assistant Commissioner

