



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **10153-22 J.T.**

AGENCY DKT. NO. **C288036004 (CAMDEN-CCBSS)**

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 benefits, contending that there were no eligible children in the household. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 13, 2023, the Honorable Kim C. Belin, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open to allow the parties the opportunity to submit post hearing briefs due by February 2, 2023. No briefs were submitted by the parties on that date, and the record then closed.

On February 21, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record indicates that, although Petitioner retained primary legal custody of his child ("D.T."), by mutual agreement, the child went to live with the child's mother in another state in September 2022. See Initial Decision at 2-3; see also Exhibits P-2, P-3, P-4, R-2. This change in residence was substantiated by Petitioner's receipt of child support having been terminated on September 13, 2022, and the fact that D.T. and the mother were now receiving WFNJ/TANF benefits in the state where Petitioner's child now resides. See Initial Decision at 3-4; see also Exhibits R-2, R-3. Consequently, because Petitioner no longer had an eligible child in his household, the Agency terminated his WFNJ/TANF benefits. See Initial Decision at 3; see also Exhibit R-1, and N.J.A.C. 10:90-2.7(a). Based on the testimonial and documentary evidence provided, the ALJ concluded that Petitioner and his child were no longer "living together functioning as one economic unit," and as such, the Agency properly terminated Petitioner's WFNJ/TANF benefits. See Initial Decision at 4-6; see also Exhibit R-1, and N.J.A.C. 10:90-2.7(a). 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.



By way of comment, Petitioner is advised that he may apply for WFNJ/General Assistance benefits, if he has not already done so. See N.J.A.C. 10:90-2.7(b).

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

Officially approved final version.

April 25, 2023

Natasha Johnson
Assistant Commissioner

