



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 11171-22 L.M.

AGENCY DKT. NO. S591256012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF"), and Emergency Assistance ("EA"), benefits. The Agency terminated Petitioner's WFNJ/TANF benefits, contending that her monthly earned income exceeded the allowable eligibility benefit level for receipt of such benefits, and terminated Petitioner's EA benefits because she is no longer a WFNJ benefits recipient, nor is she a Supplemental Security Income ("SSI"), benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 24, 2023, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On February 13, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, based on the testimonial and documentary evidence presented, the ALJ found that Petitioner's monthly employment income of \$1,517 exceeded the maximum benefit payment level allowed for WFNJ/TANF eligibility. See Initial Decision 2-3; see also Exhibits R-1, R-4 through R-7, and N.J.A.C. 10:90-3.3(b), -3.8. The ALJ also found that Petitioner had failed to report her new employment income within the required 10 days, and as such, she was not entitled to any applicable income disregards. See Initial Decision at 3-7; see also Exhibits R-2, R-3, and N.J.A.C. 10:90-3.8(b)(1). Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/TANF benefits was proper and must stand. See Initial Decision at 7; see also Exhibit R-8, and N.J.A.C. 10:90-3.1(c). I agree. Consequently, because Petitioner was no longer a WFNJ benefits recipient, nor an SSI benefits recipient, the ALJ found that Petitioner was ineligible for EA benefits, and accordingly, concluded that the Agency's termination of Petitioner's EA benefits was also proper and must stand. See Initial Decision at 4, 7; see also Exhibit EA-R-12, and N.J.A.C. 10:90-6.2(a). I also 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, as it appears from the record that Petitioner's circumstances may have changed, Petitioner is advised that she is without prejudice to reapply for WFNJ/TANF and EA benefits, if indeed that is the case. See Initial Decision at 5, 7.

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

Officially approved final version. March 29, 2023

Natasha Johnson
Assistant Commissioner

