



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 **02653-23 M.N.**

AGENCY DKT. NO. **C196533011 (MERCER COUNTY BOARD OF SOC. SVCS..)**

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits, and Emergency Assistance ("EA") benefits. The Agency denied Petitioner WFNJ/TANF benefits, contending that he failed to provide required documentation to the Agency needed to determine his eligibility for WFNJ/TANF benefits, and denied Petitioner EA benefits because he was not a WFNJ benefits recipient, nor a Supplemental Security Income ("SSI") benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A telephonic hearing was initially scheduled for March 29, 2023, but was adjourned to April 5, 2023, because Petitioner had not received the Agency's hearing packet in a timely manner, and as such, had no time to review said hearing packet. On April 5, 2023, the Honorable Susan L. Olgiati, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The matter had been downgraded to a non-emergent, and the record closed on that same date.

On April 21, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. The ALJ in this matter issued a very thorough and comprehensive Initial Decision, providing a detailed and well thought out analysis, applying law to fact. See Initial Decision at 2-8. Specifically, the ALJ found it undisputed that, despite several notifications by the Agency, Petitioner had failed to provide all requested documentation to the Agency required for it to assess his eligibility for WFNJ/TANF benefits, without good cause. *Id.* at 4-7; see also Exhibit R-14, R-18, R-20, R-21. Of note, as of the date of the hearing, Petitioner had still not provided the Agency with the required documentation. See Initial Decision at 3, 10 fn5; see also "Petitioner's Exhibits." Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/TANF benefits to Petitioner was proper and must stand. See Initial Decision at 7-8; see also Exhibit R-22, and N.J.A.C. 10:90-2.2(a)(5), (d). I agree. Further, the ALJ found that because Petitioner was not a WFNJ or SSI benefits recipient, he was ineligible for EA benefits, and as such, concluded that the Agency's denial of EA benefits to Petitioner was also proper and must stand. See Initial Decision at 8; see also Exhibit R-26, 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, Petitioner is without prejudice to reapply for WFNJ/TANF and EA benefits, but is advised that he must provide the Agency with all requested/required documentation. See N.J.A.C. 10:90-2.2(a)(5) Further, the Agency is instructed to assist Petitioner with acquiring such documentation, as appropriated. See Initial Decision at 6; see also N.J.A.C. 10:90-1.6(a).

By way of further comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her current needs, including Social Services for the Homeless.

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

Officially approved final version.

June 01, 2023

Natasha Johnson

Assistant Commissioner

