



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 11437-23 N.T.

AGENCY DKT. NO. **C081907018 (SOMERSET COUNTY BOARD 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 because her household income was over the maximum benefits level for eligibility, and terminated Petitioner's EA benefits because she was no longer a WFNJ/TANF benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 14, 2023, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On November 27, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner's assistance unit ("AU") consists of herself and one dependent child. See Initial Decision at 2. Petitioner's AU was receiving WFNJ/TANF benefits until such time as Petitioner reported receiving child support payments calculated at the monthly amount of \$433, which, after any appropriate child support disregards were applied, brought the household income over the maximum benefit level of \$425 per month allowable for WFNJ/TANF benefits for an AU of two. *Id.* at 2-3; see also Exhibit R-1 at 5-8, 13-19, and N.J.A.C. 10:90-3.1(c), -3.3(b), -3.8(h), and Division of Family Development Informational Transmittal ("DFD IT") No. 19-21. The record also reflects that Petitioner failed to provide the Agency with documentation regarding several companies for which she is the registered agent. See Initial Decision at 2-3; see also Exhibit R-1 at 20-29, and N.J.A.C. 10:90-2.2(a)(5), (d). As a result, the Agency terminated Petitioner's WFNJ/TANF benefits. See Initial Decision at 2; see also Exhibit R-1 at 1-3, and N.J.A.C. 10:90-3.1(c), -3.3(b). The Agency also terminated Petitioner's EA benefits because she was no longer a WFNJ benefits recipient, nor was she a Supplemental Security Income benefits recipient, a requirement for EA benefits eligibility. See Initial Decision at 2-3; see also Exhibit 1, and N.J.A.C. 10:90-6.2(a)(limiting eligibility for EA benefits to WFNJ and Supplemental Security Income benefits recipients). Based on the foregoing, the ALJ concluded that Petitioner is ineligible for WFNJ/TANF benefits because her household income exceeds the maximum benefit eligibility level, and that Petitioner is ineligible for EA benefits because she is no longer a WFNJ benefits recipient. See Initial Decision at 3; see also N.J.A.C. 10:90-3.3(b), -3.8(h)(2), -6.2(a). Accordingly, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/TANF and EA benefits was proper and must stand. See Initial Decision at 3; see also Exhibit R-1 at 1-3, and Exhibit 1. I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner of DFD, 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 AFFIRMED.



Officially approved final version. December 28, 2023

Natasha Johnson
Assistant Commissioner

