



## State of New Jersey

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TRENTON, NJ 08625-0716

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*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 **00777-23 S.J.**

AGENCY DKT. NO. **S592673012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA"), Emergency Assistance ("EA"), and Supplemental Nutrition Assistance Program ("SNAP"), benefits. The Agency denied Petitioner's application for WFNJ/GA and SNAP benefits for failure to provide information necessary to determine eligibility. The Agency denied Petitioner's application for EA benefits because he was not a WFNJ, or Supplemental Security Income ("SSI"), benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 27, 2023, the Honorable Jeffrey N. Rabin, Administrative Law Judge, ("ALJ"), held the telephonic plenary hearing, took testimony and admitted documents. On January 30, 2023, the ALJ issued an Initial Decision, affirming the Agency's determinations.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determinations, based on the discussion below.

Financial eligibility for Work First New Jersey ("WFNJ") benefits is determined based upon the assistance unit's countable income, both earned and unearned, as well as countable resources. See N.J.A.C. 10:90-3.1(a). Pursuant to N.J.A.C. 10:90-3.2(a), in order to determine initial financial eligibility for WFNJ benefits for a new applicant, reapplicant or reopened case, "all countable income available to the assistance unit shall be considered and compared to the initial maximum allowable income levels for the appropriate eligible assistance unit size in Schedule I at N.J.A.C. 10:90-3.3." See also N.J.A.C. 10:90-3.1(b).

Only WFNJ cash assistance recipients and Supplemental Security Income ("SSI") benefits recipients are eligible for EA benefits. See N.J.A.C. 10:90-6.2(a).

In order to determine eligibility for SNAP benefits, mandatory verification of certain information is required, such as household income, both earned and unearned income, as well as residency. See



N.J.A.C. 10:87-2.19, -2.20. Without said verification of required information, SNAP eligibility cannot be determined or granted. Ibid.

Here, the record reflects that Petitioner applied for WFNJ/GA, EA and SNAP benefits. See Initial Decision at 2; see also Exhibit R-1. Petitioner was given immediate need housing placement while his application was pending. See Initial Decision at 3. Thereafter, the Agency requested a letter from Petitioner's employer, regarding his employment status and proof that he was no longer receiving Workers Compensation benefits. Ibid. When the requested documentation was not received, the Agency denied Petitioner the benefits sought. See Initial Decision at 3, 4; see also Exhibit R-1. The ALJ in this matter concluded that, as Petitioner had not provided the required information pertaining to Petitioner's current employment status, and present income, the Agency was correct in denying Petitioner's application for SNAP, and also WFNJ/GA, benefits. See Initial Decision at 4-5. Additionally, as Petitioner was not a WFNJ benefits recipient, nor an SSI benefits recipient, Petitioner was not eligible for EA benefits. Id. at 5-6. Based on the foregoing, the ALJ in this matter concluded that the Agency's denial of WFNJ/GA, EA and SNAP benefits to Petitioner was proper and must stand. See Initial Decision at 6-7. I agree.

By way of comment, Petitioner is without prejudice to reapply for WFNJ and SNAP benefits, but is advised that he must provide requested information and documentation necessary to determine eligibility.

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

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determinations are AFFIRMED, as outlined above.

Officially approved final version. February 7, 2023

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Natasha Johnson  
Assistant Commissioner

