



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

SARAH ADELMAN
Commissioner

SHEILA Y. OLIVER
Lt. Governor

TRENTON, NJ 08625-0716

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 **06230-23 S.S.**

AGENCY DKT. NO. **S603725012 (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") benefits, the termination of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits, and the reduction of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's WFNJ/TANF benefits, contending that her Unemployment Insurance Benefits ("UIB") income put her over the maximum allowable benefit level for receipt of said benefits, terminated Petitioner's EA benefits and imposed a six-month EA ineligibility penalty, contending that she was no longer a WFNJ benefits recipient, and that she had failed to comply with her EA service plan ("SP"). The Agency reduced Petitioner's SNAP benefits due to receipt of UIB income. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 17, 2023 the Honorable Kimberly M. Wilson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On July 18, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ in this matter issued a very thorough and comprehensive Initial Decision, outlining the procedural history, providing a detailed factual timeline, and rendering a well thought out analysis, applying law to fact. See Initial Decision at 2-9. Specifically, the ALJ found that Petitioner's receipt of UIB income in the monthly amount of \$1,729 put her over the maximum allowable WFNJ/TANF benefit eligibility level of \$425 for an assistance unit of two, such as hers. See Initial Decision at 3-4, 6; see also Exhibit R-10 at 3-4, 6-8, 17, and N.J.A.C. 10:90-3.1(a), (c), -3.3(b). The ALJ also found that because Petitioner was no longer a WFNJ benefits recipient, that she was ineligible for EA benefits. See Initial Decision at 8; see also N.J.A.C. 10:90-6.2(a). Additionally, the ALJ found that Petitioner had failed to provide required weekly housing searches, without good cause, in violation of the terms of her SP. See Initial Decision at 2-5, 7-8; see also Exhibits R-2, R-3, R-5, R-6, and N.J.A.C. 10:90-6.6(a). Finally, the ALJ found that the Agency had properly calculated Petitioner's UIB income in its reduction of Petitioner's monthly SNAP benefits from \$535 to \$66. See Initial Decision at 3, 5, 7, 9; see also Exhibit R-10 at 3, 5-6, 11-13, and N.J.A.C. 10:87-5.3, -5.5, -5.9. Based on the foregoing, and the testimony and documentary evidence provided, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/TANF benefits was proper, that its termination of Petitioner's EA benefits, and the imposition of a six-month EA ineligibility penalty was proper, and that its reduction of Petitioner's SNAP benefits was both accurate and proper. See Initial Decision at 7-9. see also Exhibits R-7, R-8, R-10 at 11-15. Accordingly, the ALJ affirmed the Agency's determinations. See Initial Decision at 9. 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, 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. July 26, 2023

Natasha Johnson
Assistant Commissioner

