



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **04584-24 A.B.**

AGENCY DKT. NO. **C179133003 (BURLINGTON COUNTY BD. OF SOC. SVCS)**

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency denied Petitioner WFNJ/TANF benefits, contending that she failed to provide required documentation to the Agency needed to determine her eligibility for said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 9, 2024, the Honorable Kimberley M. Wilson, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On April 10, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination.

An independent review of the record in this case reflects that Petitioner applied for WFNJ/TANF benefits on November 13, 2023, for an assistance unit of three persons, comprised of Petitioner and her two children. See Initial Decision at 3. On December 1, 2023, the Agency sent Petitioner a letter advising of a telephone interview for December 7, 2023. Ibid. When Petitioner missed that interview, on December 14, 2023, the Agency sent Petitioner notice of a second telephone interview for December 20, 2023. Ibid. Both of the telephone interview notices contained a list of documentation which needed to be provided to the Agency to determine Petitioner's eligibility for WFNJ/TANF benefits, including proof of current income. See Exhibit R-1 at 21, 22. Thereafter, on February 29, 2024, the Agency sent another request for income verification information, and when that notice was returned to the Agency as undeliverable, the Agency attempted to telephone Petitioner, with no success. See Initial Decision at 5. As such, on March 25, 2024, the Agency denied Petitioner's application for WFNJ/TANF benefits. See Exhibit R-1 at 32-33. 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 6-8; see also N.J.A.C. 10:90-2.2(a)(5), (d). I agree. Moreover, based on the record presented, it is clear that Petitioner was employed at the time of her application for WFNJ benefits, and based upon her gross monthly income, was ineligible for benefits. See Exhibit R-1 at 28-31; see also N.J.A.C. 10:90-3.3(a) and DFD Informational Transmittal ("IT") No. 19-21.

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). Additionally, I note that based upon the letter from Petitioner's former employer, see Exhibit R-1 at 27, indicating that "the date of [her] voluntary resignation due to job abandonment ... is February 28, 2024," Petitioner herself may be ineligible for WFNJ/TANF benefits for a period of 90 days from the day of the voluntary quit, or from February 28, 2024, unless good cause



can be shown. See N.J.A.C. 10:90-1.15. Petitioner may, however, still apply for WFNJ/TANF benefits on behalf of her children during that time period. Ibid.

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.

Also, by way of comment, Petitioner is advised that 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).

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

Officially approved final version. April 18, 2024

Natasha Johnson
Assistant Commissioner

