



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 **00366-24 A.S.**

AGENCY DKT. NO. **C088803003 (BURLINGTON COUNTY BD. OF SOC. SVCS)**

Petitioner appeals from the Respondent Agency's denial of his applications for Work First New Jersey/ General Assistance ("WFNJ/GA"), and Emergency Assistance ("EA"), benefits. The Agency denied Petitioner WFNJ/GA benefits because his total monthly income was over the maximum allowable benefit level for receipt of said benefits, and denied Petitioner EA benefits because he was not a WFNJ, nor a Supplemental Security Income ("SSI"), benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 12, 2024, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On the same day, the ALJ issued an Initial Decision, affirming the Agency's determination.

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 determination, based on the discussion below.

Initial 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). If a WFNJ/GA assistance unit (hereinafter "AU") has income that is equal to or less than the maximum allowable income or benefit level, then initial financial eligibility exists. See N.J.A.C. 10:90-3.1(b), -3.5(a), -3.6(a). Effective July 1, 2019, the maximum allowable income level for an employable WFNJ/GA assistance unit that consists of one individual is \$278 per month. See N.J.A.C. 10:90-3.5(a); see also DFD Informational Transmittal ("IT") No. 19-21. Effective July 1, 2019, the maximum allowable benefit level for an unemployable WFNJ/GA assistance unit that consists of one individual is \$277 per month. See N.J.A.C. 10:90-3.6(a); see also DFD IT No. 19-21.

Here, the record reflects that Petitioner applied for WFNJ/GA and EA benefits on August 2, 2023, and August 16, 2023, respectively. See Initial Decision at 2; see also Exhibits R-A, R-D. The Agency denied Petitioner WFNJ/GA benefits based upon Petitioner's income being over the maximum allowable



income level for eligibility. Ibid.; see also Exhibit R-C, N.J.A.C. 10:90-3.5(a), and DFD IT No. 19-21. Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/GA benefits to Petitioner was proper and must stand. See Initial Decision at 3. I agree.

The ALJ further found that, because Petitioner is not a WFNJ or SSI benefits recipient, he is ineligible for EA benefits, and as such, concluded that Agency's denial of EA benefits to Petitioner was also proper and must be affirmed. See Initial Decision at 2-3; see also N.J.A.C. 10:90-6.2(a), and Exhibit R-E. I also agree.

By way of comment, Petitioner is without prejudice to reapply for WFNJ benefits should his circumstances have changed.

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

Officially approved final version. January 25, 2024

Natasha Johnson
Assistant Commissioner

