



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 **03400-24 C.J.**

AGENCY DKT. NO. **C073396008 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)**

Petitioner appeals from Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") and Emergency Assistance ("EA") benefits, and the closing of her Supplemental Nutrition Assistance Program ("SNAP") case. The Agency denied Petitioner WFNJ/GA benefits, and closed Petitioner's SNAP case contending that Petitioner was not a resident of Gloucester County. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 18, 2024, the Honorable Jeffrey N. Rabin, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On March 19, 2024, the ALJ issued an Initial Decision, affirming Agency's determination.

Exceptions to the Initial Decision were filed by Legal Services, on behalf of Petitioner, on March 21, 2024.

As Assistant Commissioner, Division of Family Development, 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.

"A permanent residence is not an eligibility requirement. If an applicant expresses an intent to reside in the county or municipality, by providing verification of residence or by affirmatively stating his or her intent to reside in the jurisdiction, for purposes of WFNJ eligibility, the applicant shall be deemed to be a resident of such county and/or municipality." See N.J.A.C. 10:90-2.12(c).

Pursuant to N.J.A.C. 10:90-6.2(a), only WFNJ cash recipients and Supplemental Security Income ("SSI") recipients are eligible for EA benefits.

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, and the record substantiates, that Petitioner had failed to affirmatively state that it was her intent to reside in Gloucester County, required for WFNJ/GA benefits eligibility, and failed to provide proof that she was a resident of Gloucester County, required for continued SNAP benefits eligibility. *Id.* at 3-9; see also Exhibit R-1 at 3-25, 29-30, 32-87; and N.J.A.C. 10:90-2.12(c), and N.J.A.C. 10:87-3.2, -3.3(a). Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/GA benefits to Petitioner, and closure of Petitioner's SNAP benefits case, were proper and must stand. See Initial Decision at 7-9; see also Exhibit R-1 at 26-28 I agree.

By way of comment, the transmittal in this matter also indicates a contested issue pertaining to the denial of EA benefits to Petitioner. That issue was not addressed by the ALJ in the Initial Decision. However, as Petitioner is not a WFNJ or SSI benefits recipient, I find that she is ineligible for EA benefits at this time. See N.J.A.C. 10:90-6.2(a).



By way of further comment, Petitioner may re-apply for WFNJ, SNAP and EA benefits provided she continues to need such benefits and is otherwise eligible for same in accordance with relevant regulatory authority. Additionally, Petitioner must provide the Agency with all requested, necessary, and verifiable, documents needed to determine her WFNJ, SNAP and EA benefits eligibility. See N.J.A.C. 10:90-2.2(a)(5), and N.J.A.C. 10:87-2.19.

Also by way of comment, I have reviewed the Exceptions submitted on behalf of Petitioner, and I find that the arguments made therein do not alter my decision in this matter.

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

Officially approved final version. March 28, 2024

Natasha Johnson
Assistant Commissioner

