



# State of New Jersey

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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 12035-23 J.J.

AGENCY DKT. NO. **C413651016 (PASSAIC COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA"), and Supplemental Nutrition Assistance Program ("SNAP"), benefits. The Agency denied Petitioner WFNJ/GA and SNAP benefits, contending that he failed to provide documentation required to determine eligibility for said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A telephonic plenary hearing was initially scheduled for December 4, 2023, but was adjourned by Petitioner to allow his counsel the opportunity to review the Agency record. The matter was rescheduled, and on December 13, 2023, the Honorable Julio C. Morejon, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On December 21, 2023, the ALJ issued an Initial Decision, reversing the Agency's actions in this matter.

No Exceptions to the Initial Decision were filed.

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 REVERSE the Agency's determination, as discussed below.

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 liquid resources, and the eligibility status of applicant aliens. 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.*

In order to determine eligibility for WFNJ/GA benefits, certain documentation is required, including, but not limited to, household income verification. See N.J.A.C. 10:90-2.1(b), -2.2(a), -2.10.

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, based on Petitioner's credible testimony, the evidence provided by Petitioner, and the Agency's failure to provide sufficient credible evidence at the hearing to rebut said testimony, the ALJ found that, although untimely, Petitioner had provided the Agency with the required statement regarding the source of income on August 9, 2023, and the self-attestation letter evidencing his household income, or lack thereof, on August 23, 2023, required to determine WFNJ/GA and SNAP eligibility. See Initial Decision at 2-4; see also Exhibits P-1, R-6, R-10, R-11, R-12, R-E4, and N.J.A.C. 10:90-2.2(a)(5), -9.12(b), N.J.A.C. 10:87-2.19, -2.20, -8.15, and N.J.A.C. 1:1-15.5(c). Particularly, the ALJ found Petitioner credible when he testified that, at the time he applied for WFNJ/GA and SNAP benefits he advised the Agency that he had not had any income since January 2023, that prior to the Agency's denial of WFNJ/GA and SNAP benefits



he had been into the Agency office on several occasions, was not offered any assistance by the Agency, and was not advised that he still needed the self-attestation notice until he again visited the Agency office on or around August 23, 2023, at which time he was assisted by the Agency in its preparation. See Initial Decision at 3-6; see also Exhibit P-1, and N.J.A.C. 10:90-1.6(f), N.J.A.C. 10:87-2.22(c)(1). The ALJ also found that the Agency representative had no knowledge of Petitioner's interactions at the Agency office, and as such, could not credibly rebut Petitioner's testimony. See Initial Decision at 4; see also N.J.A.C. 10:90-1:1-15.5(c). Moreover, the ALJ found that the Agency failed to notice Petitioner of its denial of SNAP benefits as required by N.J.A.C. 10:87-2.25, -8.1(b). See Initial Decision at 6-7, 9.

Based on the testimony and record provided, the ALJ concluded that Petitioner was eligible for both WFNJ/GA and SNAP benefits, and as such, further concluded that the Agency's denial of WFNJ/GA and SNAP benefits to Petitioner was improper and must be reversed. See Initial Decision at 8-9; see also Exhibit R-13, and N.J.A.C. 10:90-2.1(b), 2.2(a), and N.J.A.C. 10:87-2.19, -2.20. Further, the ALJ ordered the Agency to provide Petitioner with WFNJ/GA benefits retroactive from September 20, 2023, to May 26, 2023, and to provide Petitioner with SNAP benefits retroactive from October 3, 2023, to May 26, 2023. See Initial Decision at 9; see also N.J.A.C. 10:90-3.21(b)(2), N.J.A.C. 10:87-2.11, -8.18. I agree, particularly, in light of the fact that the Agency testified that it would have provided Petitioner with WFNJ/GA and SNAP benefits from the dates of said applications had it received Petitioner's attestation letter. See Initial Decision at 3-4.

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

Officially approved final version. February 27, 2024

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Natasha Johnson  
Assistant Commissioner

