



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 **09750-24 K.B.**

AGENCY DKT. NO. **C144816003 (BURLINGTON COUNTY BD. OF SOC. SVCS)**

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner's application for WFNJ/GA benefits, contending that she failed to timely provide documentation necessary to establish eligibility for said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 9, 2024, the Honorable Deirdre Hartman-Zohlman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On September 24, 2024, the ALJ issued an Initial Decision, reversing the Agency's determination, and remanding the matter back to the Agency.

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 MODIFY the ALJ's Initial Decision, REVERSE the Agency's determination, and REMAND the matter to the Agency, based on the discussion below.

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 2-6. The ALJ concluded that, on May 14, 2024, Petitioner had timely provided all documentation requested in the Agency's May 3, 2024, request for verification, including a separation letter from her former employer and proof of having applied for unemployment insurance benefits ("UIB"). *Id.* at 5; see also Exhibit R-3, and N.J.A.C. 10:90-2.2(a) (5). Furthermore, the ALJ found that the Agency had not notified Petitioner, after her submission of the documentation, until the Agency's denial on May 31, 2024, that any of the submitted documentation was insufficient. See Initial Decision at 3, 5. Based on the testimonial and documentary evidence provided, the ALJ found that Petitioner had timely submitted the documentation requested by the Agency on May 13, 2024, and also found that Petitioner's submission of her proof of having applied for UIB was sufficient. See Initial Decision at 6. As such, the ALJ found the Agency's denial of Petitioner's application for WFNJ/GA was improper and must be reversed, and that the Agency was to complete the processing of her WFNJ/GA benefits application. *Ibid.* I agree.

Accordingly, I am remanding this matter back to the Agency for action as follows. The Agency shall consider all documentation submitted by Petitioner on May 13, 2024, as having been timely submitted, and the Agency is to evaluate Petitioner's application and submitted documentation for eligibility for WFNJ/GA benefits. The Agency shall expedite the substantive evaluation of Petitioner's application and documentation, and if Petitioner is determined to be eligible for WFNJ/GA benefits, Petitioner is to then be provided with retroactive WFNJ/GA benefits to May 3, 2024, the effective date of the denial of application. See N.J.A.C. 10:90-9.16(c); see also Exhibit R-4. Should the substantive evaluation result in



another denial of WFNJ/GA benefits, Petitioner may request another fair hearing on that substantive denial. The Initial Decision is modified to reflect these findings.

Accordingly, the Initial Decision in this matter is MODIFIED, the Agency's determination is hereby REVERSED, and the matter is REMANDED back to Agency, as outlined above.

Officially approved final version. October 31, 2024

Natasha Johnson
Assistant Commissioner

