



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT
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NATASHA JOHNSON
Director

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 07697-18 G.M.

AGENCY DKT. NO. C081759018 (SOMERSET COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") and Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's WFNJ/TANF benefits because she receives monthly child support payments, which put her income above the WFNJ/TANF benefits eligibility level, and terminated her EA benefits because she was no longer a WFNJ cash benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 26, 2018, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On July 10, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. It appears from the record that Petitioner receives \$162 per month in WFNJ/TANF benefits for an assistance unit of one dependent child. See Initial Decision at 2; see also N.J.A.C. 10:90-3.3(b). The record also reflects that from March 2018, through June 2018, Petitioner received child support payments. See Initial Decision at 2; see also Exhibit R-2 at 1-2. The maximum benefit payment level for a WFNJ/TANF assistance unit ("AU") that consists of one individual is \$162 per month. See N.J.A.C. 10:90-3.3(b). The ALJ found that Petitioner's child support income, after applying the applicable child support disregard, exceeds the maximum allowable benefit level for receipt of WFNJ/TANF benefits. See Initial Decision at 2; see also N.J.A.C. 10:90-3.1(c), -3.3(b), -3.8(h)(2). Based on the foregoing, the ALJ concluded that Petitioner is no longer eligible for WFNJ/TANF benefits and that the Agency's termination of Petitioner's WFNJ/TANF benefits was proper and must stand. See Initial Decision at 3; see also Exhibit R-1 at 1-2, and N.J.A.C. 10:90-3.1(c). I agree.

Additionally, because I agree with the ALJ's conclusion that Petitioner's WFNJ/TANF benefits were properly terminated, I find that Petitioner is ineligible for EA benefits and that the Agency's termination of Petitioner's EA benefits was also proper, as only WFNJ cash benefits recipients and Supplemental Security Income benefits recipients are eligible for EA benefits. See Initial Decision at 3; see also N.J.A.C. 10:90-6.2(a).

No Exceptions to the Initial Decision were filed.

As the Director of the 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 in this matter.

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



Officially approved final version.

AUG - 9 2010

Natasha Johnson

Director

