



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

CAROLE JOHNSON
Commissioner

SHEILA Y. OLIVER
Lt. Governor

TRENTON, NJ 08625-0716

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 06393-18 J.D.

AGENCY DKT. NO. C128213015 (OCEAN 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") benefits and Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's WFNJ/TANF benefits contending that there was no eligible child in his assistance unit ("AU"), and terminated Petitioner's EA benefits contending that he was no longer a WFNJ/TANF benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 15, 2018, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On June 29, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on February 15, 2018, Petitioner, a WFNJ/TANF benefits recipient, was approved for EA benefits in the form of temporary shelter placement for himself and his child. See Initial Decision at 2; see also Exhibit EA-R9. On March 9, 2018, the Division of Child Protection and Permanency ("DCP&P") conducted an emergency removal of Petitioner's child. See Initial Decision at 2; see also Exhibit EA-R6. On April 20, 2018, the Agency became aware that Petitioner's child was removed from his custody. See Initial Decision at 2; see also Exhibit EA-R3. The Agency then notified Petitioner that his WFNJ/TANF benefits were being terminated, effective April 1, 2018, as he was no longer eligible for WFNJ/TANF benefits because he did not have custody of a dependent child that resided with him as part of the AU. See Initial Decision at 3; see also Exhibit TANF-R1 at 1, and N.J.A.C. 10:90-2.7(a)(1). Petitioner was also advised that, effective April 30, 2018, his EA benefits were being terminated because he had lost his WFNJ/TANF eligibility. See Initial Decision at 3; see also Exhibit TANF-R1 at 2, and N.J.A.C. 10:90-6.2(a). Petitioner acknowledged that his child was no longer in his custody and does not reside with him. See Initial Decision at 4. Based on the documentary and testimonial evidence, the ALJ concluded that Agency's termination of Petitioner's WFNJ/TANF benefits and EA benefits were proper and must stand. *Ibid.*; see also Exhibits TANF-R1 at 1, 2, and N.J.A.C. 10:90-2.7(a)(1), -6.2(a). I agree.

No Exceptions to the Initial Decision were received.

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.

By way of comment, Petitioner is without prejudice to apply for WFNJ/General Assistance ("GA") benefits and EA benefits, provided he continues to need benefits and is otherwise eligible for same, in accordance with N.J.A.C. 10:90-2.2 and N.J.A.C. 10:90-6.1 et seq.



By way of further comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with his current needs, including Social Services for the Homeless.

Also, as it appears that Petitioner has an open case with DCP&P, a copy of the Initial and Final Decision shall be forwarded to that agency.

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

Officially approved final version.

AUG - 8 2018

Natasha Johnson

Director

