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STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW **12555-18 L.K.**

AGENCY DKT. NO. **C173766004 (CAMDEN COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals the Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits, and the reduction of her Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency denied Petitioner WFNJ/TANF benefits due to Petitioner's failure to provide information requested by the Agency which is necessary to determine eligibility. Petitioner's SNAP benefits were reduced due to the inclusion of received child support income in the benefits calculation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for October 4, 2018, but was adjourned at the request of Petitioner. The matter was rescheduled, and on October 29, 2018, the Honorable Dean J. Buono, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On November 9, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were filed by either party.

As the Director of the Division of Family Development, Department of Human Services, I have considered the record in this matter and the ALJ's Initial Decision and I MODIFY the Initial Decision and AFFIRM the Agency determination, as outlined below.

On July 19, 2018, Petitioner applied for WFNJ/TANF benefits on behalf of her 17-year old son, and also sought to add him to her SNAP case. See Initial Decision at 2; see also Exhibit R-1 at 12, 17. In support of her application, Petitioner provided her New Jersey ("NJ") driver's license and her son's out-of-county high school identification card which did not include an address. See Initial Decision at 2; see also Exhibit R-1 at 13, 14. Petitioner resided in Camden, NJ, and on August 9, 2018, Petitioner represented to the Agency that her son "previously went to Willingboro High School and she is currently in the process of registering him for school in Camden County." See Initial Decision at 2; see also Exhibit R-1 at 16. On August 17, 2018, the Agency denied Petitioner WFNJ/TANF benefits on behalf of her son when Petitioner had not provided school verification that her son was now residing in Camden. See Exhibit R-1 at 1, 15. Thereafter, in October of 2018, prior to the fair hearing in this matter, Willingboro High School notified the Agency that its records reflected that Petitioner's son was attending the school,

and that both Petitioner and Petitioner's son lived at an address in Willingboro, NJ. See Exhibit R-1 at 25-26. This information was also confirmed in a telephone conversation between the Agency and the school counselor. See Initial Decision at 2-3.

Based on the foregoing, the ALJ concluded that Agency's denial of Petitioner's application for WFNJ/ TANF benefits on behalf of her son was appropriate and should be affirmed, as she had failed to comply with the Agency's request to provide all requested documentation pertaining to her son. See Initial Decision at 5; see also N.J.A.C. 10:90-2.2(a)(5), -2.2(d). I agree.

The ALJ further concluded that the Agency's determination to reduce Petitioner's SNAP benefits was proper and must also be affirmed. See Initial Decision at 5. While I agree with the ALJ's conclusion, that the reduction of Petitioner's SNAP benefit amount was proper, the ALJ incorrectly states that Petitioner's SNAP benefits were reduced also due her failure to cooperate and provide information requested by the Agency. See Initial Decision at 5. Rather, based upon an independent review of the record, it is clear that Petitioner's SNAP benefits were reduced due to the receipt unearned income, specifically, child support payments, which caused her SNAP benefit allotment to decrease. See Exhibit R-1 at 3, 15; see also N.J.A.C. 10:87-5.5(a)(5), -6.16(b)(3). Further, the record also reflects that Petitioner's son was never added to Petitioner's SNAP case due to the fact that his residency had not been verified. See Initial Decision at 5; see also Exhibit R-1 at 3. The Initial Decision is modified to reflect these findings.

Accordingly, the Initial Decision in this matter is MODIFIED, and the Agency's actions are hereby AFFIRMED, based on the discussion above.

NOV 28 2018

Officially approved final version.

Natasha Johnson
Director