



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 13966-17 T.L.

AGENCY DKT. NO. C053281003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals the Respondent Agency's correctness of a Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") recoupment due to an overissuance. The Agency asserts that Petitioner received WFNJ/TANF benefits, to which she was not entitled, as the result of a failure to report a change in her household composition. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for October 30, 2017, then adjourned. The matter was rescheduled and on December 6, 2017, the Honorable Dorothy Incarvito-Garrabrant, Administrative Law Judge ("ALJ"), held the plenary hearing, took testimony and admitted documents into evidence. On December 20, 2017, the ALJ issued an Initial Decision, affirming the Agency's determination.

Here, Petitioner previously received WFNJ/TANF benefits from January 2013 through August 2013, on behalf of herself, her children, and one granddaughter. See Initial Decision at 2; see also Exhibit R-1 at 15. However, the Agency became aware that Petitioner's daughter and granddaughter no longer resided in the home as of March 2013, as a result of an order from the Superior Court of New Jersey, Family Part, dated August 13, 2013. See Initial Decision at 2; see also Exhibit R-1 at 8-10. Thereafter, the Agency sought repayment from Petitioner in the amount of \$648 for WFNJ/TANF benefits from the months of May 2013 through August 2013. See Initial Decision at 3; see also Exhibit R-1 at 16. Petitioner maintained, among other things, that she was not responsible to repay benefits for her daughter, who was the actual recipient of the overpaid benefits. See Initial Decision at 4. The ALJ concluded, however, that Petitioner's testimony was not credible, that she was not eligible to receive WFNJ/TANF benefits on behalf of her granddaughter for the months of May 2013 through August 2013, and as a result, had received an overpayment of WFNJ/TANF benefits in the amount of \$648 which must be repaid. See Initial Decision at 8; see also N.J.A.C. 10:90-2.7(b). I agree.

No Exceptions to the Initial Decision were filed.

As Director of the Division of Family Development, Department of Human Services, I have reviewed the record for this matter and the ALJ's Initial Decision. Following an independent evaluation of the record, I concur with the ALJ's decision in this matter and I hereby adopt the Findings of Fact and Conclusions of Law as contained in the Initial Decision.

By way of comment, while the Initial Decision references an issue pertaining to an overissuance of Supplemental Nutrition Assistance Program ("SNAP") benefits, I note that no such issue was transmitted in this case, nor was any evidence presented, or entered into the record, regarding such an overissuance. As such, that issue is not addressed in this decision.



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

Officially approved final version.

Natasha Johnson
Director

JAN 10 2018

