



## State of New Jersey

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*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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TRENTON, NJ 08625-0716

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 **09963-21 J.G.**

AGENCY DKT. NO. **C445730016 (PASSAIC COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of her application for Supplemental Nutrition Assistance Program ("SNAP"), and Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner's application for SNAP and WFNJ/GA benefits, contending that she failed to make contact with the Agency, and to provide requested documentation required to determine eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 13, 2022, the Honorable Matthew Miller, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record remained open for additional documents to be submitted and then closed on January 20, 2022. On January 25, 2022, the ALJ issued an Initial Decision, reversing the Agency's denial and ordering Petitioner's application for SNAP and WFNJ/GA be reconsidered.

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

As Assistant Commissioner, Division of Family Development, 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, as discussed below.

Here, the record reflects that Petitioner had moved from another county to a women's facility on September 8, 2021, and that she applied for SNAP and WFNJ/GA benefits on September 24, 2021. See Initial Decision at 2; see also Exhibit R-1. The Agency sent Petitioner a Request for Verification via email on October 12, 2021, requesting required documentation. See Initial Decision at 2; see also Exhibits R-2, R-3. When Petitioner did not provide the requested documentation, and the Agency representative could not reach Petitioner at the telephone number provided on the application, the Agency then denied Petitioner's application for benefits on October 27, 2021. See Initial Decision at 3; see also Exhibit R-4. Upon receiving the Agency's denial letter, Petitioner expeditiously appealed the denial, and in her appeal letter, provided two additional email addresses. See Initial Decision at 3; see also Exhibits P-2 and R-5. Petitioner further maintained that she had never received the Agency representative's October 12, 2021, email, and that she had checked both her inbox and spam folders accordingly. See Initial



Decision at 4. The Agency representative asserted that he had acted in accordance with applicable regulatory authority in denying Petitioner's application for benefits. See Initial Decision at 4-5; see also N.J.A.C. 10:87-2.19, -2.20 and N.J.A.C. 10:90-2.2(a)(5)(stating that "As a condition of eligibility for WFNJ benefits, the applicant shall, subject to good cause exceptions, be required to provide all necessary documentation.").

The ALJ in this matter found the testimony of both parties to be credible in their rendition of the respective facts. See Initial Decision at 7-8. However, given the particular facts presented in this case, the ALJ found that the Agency, knowing that Petitioner was residing in a women's facility, which was a facility that was well known to the Agency, should have reached out to Petitioner at that facility. *Id.* at 8, 9-10. On this basis the ALJ concluded that the Agency's denial of WFNJ/GA and SNAP benefits to Petitioner was improper and must be reversed, and Petitioner's application be reconsidered. *Id.* at 10. Based upon an independent review of the record, I agree, and I am remanding this matter back to the Agency for action as follows. It is unclear from the record presented if Petitioner has provided all documentation required to determine eligibility, as delineated on the Request for Verification. See N.J.A.C. 10:87-2.19, -2.20 and N.J.A.C. 10:90-2.2. Therefore, I direct Petitioner to provide all required documentation to the Agency, if she has not already done so, within 15 days of receipt of this Final Agency Decision. The Agency shall then evaluate Petitioner's eligibility for WFNJ benefits, now Temporary Assistance for Needy Families "TANF" benefits, not GA, in light of the birth of Petitioner's child, as well as SNAP benefits, on an expedited basis. If Petitioner is determined to be eligible for WFNJ and SNAP benefits, Petitioner is to be provided with retroactive benefits to September 24, 2021, the date of her application. See N.J.A.C. 10:87-8.18. Should the evaluation of Petitioner's WFNJ and SNAP eligibility result in a denial of said benefits, Petitioner may request another fair hearing on that substantive denial. The Initial Decision is modified to reflect these findings.

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

Officially approved final version.

February 18, 2022

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Natasha Johnson  
Assistant Commissioner

