



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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SARAH ADELMAN
Commissioner

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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 **04492-22 J.R.**

AGENCY DKT. NO. **C713623002 (BERGEN COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF"), and Supplemental Nutrition Assistance Program ("SNAP"), benefits. The Agency denied Petitioner's application for WFNJ/TANF and SNAP benefits, contending that he had failed to provide documentation required to determine eligibility for said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 21, 2022, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On June 22, 2022, the ALJ issued an Initial Decision, reversing the Agency's determinations, and remanding the matter back to the Agency.

Exceptions to the Initial Decision were received from the Agency on June 30, 2022.

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 determinations, and REMAND the matter to the Agency for action, based on the discussion below.

Here, the record reflects that Petitioner applied for WFNJ/TANF and SNAP benefits on February 1, 2022, for himself and his two minor aged children. See Initial Decision at 2; see also Exhibit P-1 at 3-17. By letter dated February 4, 2022, the Agency requested that Petitioner supply various documentation by February 14, 2022, in order to determine his eligibility for said benefits. See Initial Decision at 2; see also Exhibit P-1 at 18-20. Thereafter, on March 3, 2022, the Agency denied Petitioner's application for WNFJ/TANF and SNAP benefits, contending that the necessary documentation to determine eligibility had not been received from Petitioner. See Initial Decision at 3; see also Exhibit P-1 at 22-23. Petitioner, however, maintains and represents that he submitted the requested documentation to the Agency by regular mail on or about February 25, 2022, using the return envelope that had been supplied by the Agency. See Initial Decision at 2. The ALJ in this matter found Petitioner's testimony and representation, that he had in fact mailed the requested documentation to the Agency, albeit after the due date but prior to the denial, to be credible. See Initial Decision at 3; see also N.J.A.C.



10:87-2.27(e). Based on the foregoing, the ALJ found that the Agency's denial of WFNJ/TANF and SNAP benefits should be reversed, and the matter remanded to the Agency to reevaluate Petitioner's eligibility for benefits. See Initial Decision at 3, 4. I agree, but with the following instructions. Petitioner is instructed to provide the Agency again, if he has not already done so, with all requested documentation/verifications, claimed to have been previously sent, within 30 days from the date of this Final Agency Decision. See N.J.A.C. 10:87-2.2, -2.19 and N.J.A.C. 10:90-2.2. Upon receipt of said documentation, the Agency is instructed to reevaluate Petitioner's eligibility for WFNJ/TANF and SNAP benefits on an expedited basis. See N.J.A.C. 10:87-2.2, -2.19 and N.J.A.C. 10:90-2.2. If Petitioner is found eligible for said benefits, based upon the reevaluation of Petitioner's application, benefits shall be provided retroactive to the date of Petitioner's previous application. If Petitioner is found ineligible for WFNJ/TANF and/or SNAP benefits, based upon the substantive review of Petitioner's application, Petitioner may request another fair hearing on the substantive denial(s). Finally, Petitioner is advised that if he fails to provide the required documentation/verifications within 30 days, as instructed above, the Agency's denial of WFNJ/TANF and/or SNAP benefits to Petitioner shall stand as issued. The Initial Decision is modified to reflect these findings.

By way of comment, I have reviewed the Agency's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

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

Officially approved final version.

July 6, 2022

Natasha Johnson
Assistant Commissioner

