



## State of New Jersey

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*Governor*

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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 **05179-22 L.H.**

AGENCY DKT. NO. **C069709003 (BURLINGTON 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") benefits. The Agency denied Petitioner WFNJ/TANF benefits, contending that he was over the initial financial eligibility income level for receipt of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 29, 2022, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents, and the record then closed. On August 5, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were filed by Petitioner on August 25, 2022.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, and MODIFY the Agency's determination, based on the discussion below.

Pursuant to N.J.A.C. 10:90-3.2(a), "in order to determine initial financial eligibility for WFNJ benefits for a new applicant, re-applicant or reopened case, all countable income available to the assistance unit shall be considered and compared to the initial maximum allowable income levels for the appropriate eligible assistance unit size in Schedule I at N.J.A.C. 10:90-3.3." See also N.J.A.C. 10:90-3.1(b). Further, "[i]f the assistance unit has income equal to or less than the initial maximum allowable income level for the appropriate unit size, then WFNJ/TANF initial financial eligibility exists." See N.J.A.C. 10:90-3.2(a). For an assistance unit of four, effective July 1, 2019, the maximum allowable income level was \$966. See N.J.A.C. 10:90-3.3(a); see also DFD Informational Transmittal ("IT") No. 19-21.

Here, the ALJ found that after an Agency recalculation of Petitioner's household income, his monthly household income totaled \$1,315.00. See Initial Decision at 2-3; see also Exhibits B and C. Based on the foregoing, I find that Petitioner's monthly household income was over the WFNJ/TANF benefits initial maximum allowable income eligibility level of \$966 for an assistance unit of four, such as Petitioner's. See Initial Decision at 4; see also N.J.A.C. 10:90-3.3(a), and DFD IT No. 19-21. Therefore, while I agree with the ALJ's conclusion, that the Agency properly denied WFNJ/TANF benefits to Petitioner, I find that he was ineligible for said benefits because his household income was over the initial maximum



allowable income eligibility level of \$966, effective July 1, 2019, not \$732, as submitted into evidence by the Agency, and as stated by the ALJ in the Initial Decision. See Initial Decision at 3-4; see also Exhibits D, H, and N.J.A.C. 10:90-3.1(b), -3.2(a) -3.3(a), and IT No. 19-21. The Initial Decision and the Agency's determination are both modified to reflect this finding.

By way of comment, I have reviewed Petitioner'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, and the Agency's determination is MODIFIED, as outlined above.

Officially approved final version.

September 20, 2022

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Natasha Johnson  
Assistant Commissioner

