



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **04001-22 M.L.**

AGENCY DKT. NO. **S567375012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner WFNJ/GA benefits, contending that he failed to attend two scheduled appointments with the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 7, 2022, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record was held open for the submission of additional documents, which the Agency submitted on June 7, 2022, and the record then closed on July 7, 2022.

On July 21, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that the Agency had failed to prove by a preponderance of the evidence that Petitioner had failed to attend the required scheduled meetings, and as such concluded that the Agency's denial of WFNJ/GA benefits, on that basis, could not be upheld. See Initial Decision at 3, 5; see also Exhibit R-3 at 2, and N.J.A.C. 10:90-1.2(5). I agree.

Nevertheless, the ALJ found, and the record substantiates, that on July 7, 2015, the Agency had determined that Petitioner was ineligible to receive WFNJ/GA benefits for a period of 183 months/fifteen and one-quarter years, through 2026. See Initial Decision at 2-3, 5; see also Exhibits R-5, R-6, and N.J.A.C. 10:90-3.18(a), (c), (d). This WFNJ/GA benefits ineligibility penalty period was a result of Petitioner's receipt of a net lump sum payment in the amount of \$59,225.13 (after the Agency had been paid back for assistance previously paid to Petitioner), and his failure to document how that money had been spent. See Initial Decision at 4, 7-8; see also Exhibit R-6, and N.J.A.C. 10:90-3.18(c), (d). Petitioner acknowledged the receipt of said lump sum payment. See Initial Decision at 4. At the time of the current hearing, the ALJ also found that, although Petitioner had testified as to how the monies had been spent, he failed to provide documentation required to prove that those monies were spent on items deemed necessary for self-sufficiency such that no WFNJ/GA ineligibility penalty period should apply. See Initial Decision at 5-8; see also N.J.A.C. 10:90-3.8(c). Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/GA benefits to Petitioner was proper and must stand. See Initial Decision at 8. I also agree.



Further, although the Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") benefits to Petitioner was not a transmitted issue, the ALJ discussed, and found that Petitioner had failed to provide the Agency with proof of residency, required to determine his eligibility for SNAP benefits in Middlesex County. See Initial Decision at 2-3, 5; see also N.J.A.C. 10:87-2.19(f). Accordingly, the ALJ concluded that the Agency's denial of said benefits to Petitioner was proper and must stand. See Initial Decision at 8; see also Exhibit R-3 at 3. Again, I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

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

Officially approved final version.

September 1, 2022

Natasha Johnson
Assistant Commissioner

