



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 **05027-22 N.G.**

AGENCY DKT. NO. **C047816019 (SUSSEX COUNTY DIVISION OF SOC. SVCS.)**

Petitioner appeals the correctness of the Respondent Agency's reduction of her Work First New Jersey/ Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency reduced Petitioner's WFNJ/TANF monthly benefits amount due to unverified monthly income. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 19, 2022, the Honorable John P. Scollo, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On July 22, 2022, the ALJ issued an Initial Decision, affirming the Agency's reduction of Petitioner's WFNJ/TANF benefits. Here, the ALJ found that the Agency had properly reduced Petitioner's monthly WFNJ/TANF benefit amount due to her receipt of an unverified, and therefore presumed, recurring monthly income in the amount of \$150. See Initial Decision at 2-4; see also Exhibit R-1 at 4, 30. Petitioner claimed that the \$150 appearing on her bank statement was a one-time transfer of money from an old bank account, into her current bank account. See Initial Decision at 2-3. However, the ALJ found that Petitioner had failed to provide any credible evidence to substantiate her claim. *Id.* at 4-5; see also Exhibit R-1 at 29. Petitioner also claimed that she had provided the Agency with the required documentary proof regarding said one-time transfer. *Ibid.*; see also Exhibit R-1 at 29. Nevertheless, the ALJ found that the Agency's credible testimony negating Petitioner's claims, as well as its methods and procedures for gathering and filing of such documents, substantiated the Agency's claim that Petitioner had not provided it with any such income verification. See Initial Decision at 5. Additionally, the ALJ found that Petitioner's assistance unit consists of two people, not three, as Petitioner's child N.E. does not reside in Petitioner's household. See Initial Decision at 4; see also Exhibit R-1 at 39-49. Based on the foregoing, the ALJ concluded that Petitioner had failed to provide the Agency with documentary verification of the nature of the \$150 bank deposit, and as such, the Agency's reduction of Petitioner monthly WFNJ/TANF benefits from \$425 to \$275 per month (after the deduction of \$150) was proper and must stand. See Initial Decision at 5-5; see also Exhibit R-1 at 31-35, and N.J.A.C. 10:90-1.6(a), -2.2(a)(5), -3.1(a), -3.3(b), and Division of Family Development Informational Transmittal ("DFD IT") No. 19-21. 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.

By way of comment, it appears from the record that Petitioner may have an issue regarding Emergency Assistance ("EA") benefits. See Initial Decision at 4. However, since that issue was not a transmitted matter, it was not addressed in the Initial Decision, and has not been addressed in this Final Agency Decision. Therefore, if Petitioner still has an issue regarding EA benefits, she may request another hearing on that issue alone.

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

Officially approved final version.

September 15, 2022

Natasha Johnson
Assistant Commissioner

