



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

SARAH ADELMAN
Commissioner

SHEILA Y. OLIVER
Lt. Governor

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 **09166-21 N.T.**

AGENCY DKT. NO. **C150256015 (OCEAN COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF"), Emergency Assistance ("EA") benefits, and Supplemental Nutrition Assistance Program ("SNAP"), benefits. The Agency terminated Petitioner's WFNJ/TANF and SNAP benefits, contending that Petitioner failed to provide requested/required documentation, and terminated Petitioner's EA benefits because she was no longer a WFNJ benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 17, 2021, the Honorable William T. Cooper, III, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open until January 12, 2022, to allow the parties to provide additional documentation and the record then closed on that date.

On January 31, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that upon discovering that Petitioner had income that she had failed to report, the Agency mailed separate eligibility verifications for both WFNJ/TANF and SNAP benefits to Petitioner on September 22, 2021, requiring that certain financial documentation be provided to the Agency on or before October 1, 2021. See Initial Decision at 2-3, 6; see also Exhibits R-4, R-5, and N.J.A.C. 10:87-2.14, - 2.20, -2.22(a), (c)(1), -5.9, and N.J.A.C. 10:90-1.13(a), - 2.2(a)(5), -3.9(e). Petitioner acknowledged that she had a duty to report any change in income to the Agency within a 10-day period, acknowledged receipt of the WFNJ/TANF and SNAP benefits eligibility verification request for documents, and acknowledged that it was her fault that she had failed to provide all required documentation by the October 1, 2021, due date. See Initial Decision at 4, 6. Although Petitioner claimed that she could not provide the documentation in a timely manner because the documentation requested was voluminous, would take time to obtain, and was in storage some two hours away from her home, the ALJ did not find Petitioner's claim credible. *Id.* at 4; see also Exhibit P-2. Further, the ALJ found that the few documents that Petitioner had provided to the Agency, albeit weeks after the October 1, 2021, due date, confirmed her receipt of unreported income, and that she had not provided all the documentation requested. See Initial Decision at 3-4, 6; see also Exhibits P-1, P-4, P-5, P-6, R-7 through R-11. Based on the foregoing, the ALJ determined that Petitioner had failed to completely and timely respond to the Agency's request for income verifications, and as such, concluded that the



Agency's termination of Petitioner's WFNJ/TANF and SNAP benefits was proper and must stand. See Initial Decision at 7-10; see also Exhibits R-1, R-2. I agree. Additionally, the ALJ found that because Petitioner was no longer a WFNJ benefits recipient, she was also no longer eligible for EA benefits, and as such, the ALJ concluded that the Agency's termination of Petitioner's EA benefits was proper and must stand. See Initial Decision at 9-10; see also Exhibit R-2 and N.J.A.C. 10:90-6.2(a). I also 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, Petitioner is advised that she may reapply for WFNJ/TANF, EA, and SNAP benefits, if she is still in need of such benefits, and if she has not done so already. Petitioner is also advised that she must provide the Agency with all requested documentation required to determine her eligibility for said benefits.

By way of further comment, as it appears from the record that Petitioner has been the victim of domestic violence, should she reapply for WFNJ benefits, the Agency is instructed to refer Petitioner for a Family Violence Option risk assessment, pursuant to N.J.A.C. 10:90-20.1 et seq., if it has not already done so. See Initial Decision at 4; see also Exhibit R-12.

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

Officially approved final version.

March 23, 2022

Natasha Johnson
Assistant Commissioner

