



## State of New Jersey

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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 **00724-22 P.W.**

AGENCY DKT. NO. **C239262020 (UNION COUNTY DIVISION 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 she had failed to timely provide required documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for February 25, 2022, rescheduled for March 29, 2022, and again rescheduled for April 13, 2022, to allow the parties the opportunity to investigate the case and submit supporting documents. On April 13, 2022, the Honorable Nanci G. Stokes, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On April 20, 2022, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record reflects that Petitioner originally applied for WFNJ/GA benefits on October 22, 2021, and by notice dated November 10, 2021, was required to provide the Agency with certain documentation within ten-days from the date of said notice. See Initial Decision at 2; see also Exhibit R-2. Although the Agency acknowledged that Petitioner had provided the required documentation on November 29, 2021, it determined that said documentation was not provided in a timely manner, and as such, denied Petitioner WFNJ/GA benefits by notice dated December 14, 2021, wherein she was instructed to reapply for said benefits. See Initial Decision at 4; see also Exhibit R-1. However, the ALJ found that, although Petitioner had failed to timely provide the required documents, said untimeliness was due to Agency error and not through any fault of Petitioner. See Initial Decision at 2-6. Specifically, the ALJ found Petitioner credible in her efforts to continually follow up with the Agency, and to provide the documents as required. *Id.* at 4-5; see also Exhibit P-1. Further, Petitioner had reapplied for WFNJ/GA benefits on January 3, 2022, the required documentation had previously been submitted, and Petitioner was ultimately approved for WFNJ/GA benefits. See Initial Decision at 4. However, the ALJ found that, again due to Agency error Petitioner was not awarded WFNJ/GA benefits until March 29, 2022. *Ibid.* Based on the testimony and evidence presented, the ALJ concluded that due to Agency error, Petitioner had good cause for having failed to timely provide the required documentation at the time of her original WFNJ/GA application, and therefore, reversed the Agency's denial of Petitioner's October 22, 2021, application for WFNJ/GA benefits. *Id.* at 6-7; see also Exhibit R-1, and N.J.A.C. 10:90-2.2(a)(5). I



agree. Accordingly, the Agency is directed to provide Petitioner with WFNJ/GA benefits retroactive to October 22, 2021. See N.J.A.C. 10:90-9.16(c).

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 REVERSED.

Officially approved final version.

May 6, 2022

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Natasha Johnson  
Assistant Commissioner

