



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 **05166-22 Y.R.**

AGENCY DKT. NO. **S598561012 (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 she had failed to provide documentation required to determine her eligibility for said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 12, 2022, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record remained open to allow the parties to submit additional documents. All documents were received by July 25, 2022, and the record then closed.

On August 3, 2022, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record reflects that, on April 18, 2022, Petitioner was advised by the Agency that she was required to provide certain documentation by May 12, 2022, needed to determine her WFNJ/GA benefits eligibility. See Initial Decision at 2; see also Exhibits R-2, R-3 at 37, and N.J.A.C. 10:90-2.2(a)(5). The record further indicates that Petitioner had provided all requested documentation by that date except for one of the requested bank statements, and as a result, on May 12, 2022, the Agency denied WFNJ/GA benefits to Petitioner. See Initial Decision at 2; see also Exhibits R-2, R-3, and N.J.A.C. 10:90-2.2(a)(5). The ALJ found that, although Petitioner had failed to timely provide the Agency with one of the bank statements that it had requested, she had made a good faith effort to procure the required documentation from her bank prior to the Agency deadline of May 12, 2022, but through no fault of her own, was unable to do so. See Initial Decision at 3-6; see also Exhibits P-1, P-2, P-3. The ALJ also found Petitioner credible when she testified that, prior to the Agency's denial, she had advised the Agency of her difficulty in obtaining the required documentation. See Initial Decision at 5-6. Further, the ALJ found that Petitioner had provided the requested banking information to the Agency on May 18, 2022, a mere six days after its deadline. *Ibid.* Based on the foregoing, the ALJ found that Petitioner had good cause for failing to timely provide the required documentation, and as such, concluded that the Agency's denial of WFNJ/GA benefits to Petitioner was improper and must be reversed. *Id.* at 6-7; see also Exhibit R-3. Accordingly, the ALJ ordered the Agency to reevaluate Petitioner's April 12, 2022, WFNJ/GA benefits application, giving consideration to the documents she had provided on May 18, 2022. See Initial Decision at 7; see also Exhibit R-1. I agree. Further, should the substantive



reevaluation of Petitioner's application result in a denial of WFNJ/GA benefits, Petitioner may request another fair hearing on that substantive denial.

Exceptions to the Initial Decision were filed by the Agency on August 10, 2022.

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, I have reviewed the Agency's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

Accordingly, the Initial Decision is hereby ADOPTED, the Agency's determination is REVERSED, and the matter is REMANDED to the Agency to reevaluate Petitioner's eligibility for WFNJ/GA benefits, on an expedited basis.

Officially approved final version.

September 22, 2022

Natasha Johnson
Assistant Commissioner

