



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT
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Commissioner

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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 **08103-26 A.S.**

AGENCY DKT. NO. **C284375009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF"), and Emergency Assistance ("EA"), benefits. The Agency terminated Petitioner's WFNJ/TANF benefits due to the household's income exceeding the maximum allowable benefit level, and terminated Petitioner's EA benefits because Petitioner was not a WFNJ, nor a Supplemental Security Income ("SSI"), benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 16, 2026, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On July 21, 2026, the ALJ issued an Initial Decision, affirming the Agency's determinations.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determinations, based on the discussion below.

Pursuant to N.J.A.C. 10:90-3.1(c), once initial financial eligibility for WFNJ/TANF is found to exist, financial eligibility continues to exist so long as the total countable income of the WFNJ/TANF assistance unit (with benefit of the appropriate disregards at N.J.A.C. 10:90-3.8 for earned and unearned income) is less than the maximum benefit payment level for the appropriate eligible AU size in accordance with Schedule II at N.J.A.C. 10:90-3.3(b). For an assistance unit of four, the maximum allowable benefit level is \$644. *Ibid.*; DFD Informational Transmittal ("DFD IT") No. 19-21.

Only WFNJ cash assistance recipients and Supplemental Security Income ("SSI") benefits recipients are eligible for EA benefits. See N.J.A.C. 10:90-6.2(a).

Here, the record reflects that Petitioner has previously received twelve months of EA benefits, and was provided with an EA hardship extension application, which he did not complete and submit to the Agency. See Initial Decision at 2. In reviewing paystubs submitted by Petitioner to the Agency, it was determined that Petitioner's monthly income was \$5,255. *Ibid.*; see also Exhibit R-3 and DFD IT 19-21. In consideration of Petitioner's gross income, it was found that he was no longer eligible for receipt of WFNJ/TANF benefits, and that his income would allow for payment of his monthly rent of \$2,500. *Ibid.* Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/TANF benefits was proper and must stand. See Initial Decision at 3-4. I agree. The ALJ also concluded that, because Petitioner was no longer a WFNJ benefits recipient, nor an SSI benefits recipient, the Agency's termination of EA benefits to Petitioner was also proper and must stand. *Ibid.*; see also N.J.A.C. 10:90-6.2(a) and Exhibit R-2. Further, the ALJ



concluded that Petitioner has received the lifetime limit of 12 months of EA benefits, and did not complete the hardship extension application, although currently, any hardship extension is moot as Petitioner is no longer eligible for receipt of EA. I also agree.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determinations are AFFIRMED, as outlined above.

Officially approved final version. September 03, 2026

Natasha Johnson
Assistant Commissioner

