



# State of New Jersey

MIKIE SHERRILL  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716

STEPHEN CHA, MD, MHSR  
*Commissioner*

DR. DALE G. CALDWELL  
*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 **20956-25 L.R.**

AGENCY DKT. NO. **C137079001 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)**

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency denied Petitioner WFNJ/TANF benefits, contending that her monthly child support payments ("CSP"), in addition to the unearned income from her minor children's Supplemental Security Income ("SSI") benefits put her countable resources above the allowable WFNJ/TANF benefit eligibility level. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. The hearing in this matter was initially scheduled for February 4, 2026, however, a postponement request was granted. On February 17, 2026, the Honorable Carl V. Buck III, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The hearing was continued until March 3, 2026, and the record was held open until March 6, 2026, at which time it was closed. Of note, on the March 3, 2026 hearing date, Petitioner withdrew her appeal regarding her Supplemental Nutrition Assistance Program ("SNAP") benefits, leaving the sole issue before the ALJ for determination being in reference to the WFNJ/TANF denial. On March 20, 2026, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were received from Petitioner on March 26, 2026.

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 determination, based on the discussion below.

Initial financial eligibility for Work First New Jersey ("WFNJ") benefits is determined based upon the assistance unit's ("AU") countable income, both earned and unearned, as well as countable resources. See N.J.A.C. 10:90-3.1(a). Pursuant to N.J.A.C. 10:90-3.2(a), in order to determine initial financial eligibility for WFNJ benefits for a new applicant, reapplicant or reopened case, "all countable income available to the assistance unit shall be considered and compared to the initial maximum allowable income levels for the appropriate eligible assistance unit size in Schedule I at N.J.A.C. 10:90-3.3." See also N.J.A.C. 10:90-3.1(b). Further, "[i]f the assistance unit has income equal to or less than the initial maximum allowable income level for the appropriate unit size, then WFNJ/TANF initial financial eligibility exists." See N.J.A.C. 10:90-3.2(a). For an assistance unit of three, effective January 1, 2019, the maximum allowable income level is \$839. See N.J.A.C. 10:90-3.3(a); see also DFD Informational Transmittal ("IT") No. 19-21.

In accordance with N.J.A.C. 10:90-3.9(b), child support payments received are considered income for purposes of determining WFNJ/TANF benefits eligibility. N.J.A.C. 10:90-3.8(h), permits for up to \$100 disregard of child support income in determining initial eligibility for WFNJ/TANF benefits and cash assistance benefits computation "provided that



the total amount of child support received for that month is less than the monthly WFNJ grant amount.” See also DFD Instruction (“DFDI”) 09-01-04.

Here, the record reveals that Petitioner applied for WFNJ/TANF benefits on September 29, 2025 (following a prior redetermination of benefits in June, 2025), on behalf of an assistance unit of three—herself and her two minor children. See Initial Decision at 3. Petitioner indicated that she has no earned income but that the assistance unit receives social security benefits in the form of SSI, on behalf of both of her minor children, as well as CSP, on behalf of one minor child. Ibid. Both of Petitioner’s minor children receive SSI, as of December, 2025, in the amount of \$1,025.25 per month. Ibid. The record indicates that, for an unknown reason, the benefits being paid to Petitioner’s minor children were not properly calculated at the time of the WFNJ/TANF redetermination in June, 2025 and that, upon proper consideration of the amounts, in combination with the CSP, Petitioner’s assistance unit was found to be ineligible for receipt of benefits. See Initial Decision at 3-4. Further complicating the matter was the receipt of a lump sum CSP payment in May, 2025. See Initial Decision at 4. At the time of the hearing, Petitioner argued that the SSI payments made to her children are not attributable to her and, as such, should not be counted towards the assistance unit’s income. See Initial Decision at 4.

Based upon the testimonial and documentary evidence, Petitioner’s two minor children receive a combined \$2,050.50 in SSI benefits each month, which is in addition to the payment of CSP, and therefore, the ALJ found that the assistance unit’s countable income exceeded the maximum allowable income level for receipt of WFNJ/TANF benefits. See Initial Decision at 5-6. Accordingly, the ALJ affirmed the Agency’s denial of WFNJ/TANF benefits, as Petitioner’s assistance unit has a monthly income which exceeded the maximum allowable income amount to determine eligibility for WFNJ/TANF benefits. See Initial Decision at 6-8. I agree.

By way of comment, I have reviewed Petitioner’s Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

Accordingly, the Initial Decision in this matter is hereby ADOPTED, and the Agency’s determination is AFFIRMED, as outlined above.

Officially approved final version. May 13, 2026

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Natasha Johnson  
Assistant Commissioner

