



## State of New Jersey

### DEPARTMENT OF HUMAN SERVICES

Division of Family Development  
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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 14233-15 A.D.

AGENCY DKT. NO. GA153084 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of his application for Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner's WFNJ/GA benefits because it determined that his household income exceeded the eligibility threshold. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 22, 2015, the Honorable Jesse H. Strauss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On October 22, 2015, the ALJ issued an Initial Decision, reversing the Agency's determination. The record shows that Petitioner applied for WFNJ/GA benefits in June 2015. See Initial Decision at 2. The record also shows that Petitioner submitted May and June 2015 rent payment receipts, indicating that Petitioner's grandfather had paid his rent directly to the landlord. *Ibid.*; see also Exhibit P-1. The ALJ found, and the Agency admitted, that third party payments made directly to the landlord are considered an exempt income, and therefore not counted as income to Petitioner, in determining eligibility for WFNJ/GA benefits. See Initial Decision at 2; see also N.J.A.C. 10:90-3.19(a)(10). Accordingly, the ALJ concluded that the Agency improperly denied Petitioner's application for WFNJ/GA benefits for the aforementioned reasons. See Initial Decision at 3. The ALJ, therefore, ordered the Agency to provide Petitioner with WFNJ/GA benefits as of the date of his completed work activity. *Ibid.*; see also N.J.A.C. 10:90-1.2(f)(8).

No Exceptions to the Initial Decision were filed.

As the Director of the 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 in this matter.

Accordingly, the Initial Decision in this matter is hereby ADOPTED and the Agency's determination is REVERSED.

*Signed Copy on File*  
at DFD, BARA

**NOV 12 2015**

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Natasha Johnson  
Director