



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 14831-14 I.S.

AGENCY DKT. NO. C054017 (SOMERSET COUNTY BOARD OF SOC. SVCS.)

Petitioner challenges Respondent Agency's reduction of his Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits and the termination of his Emergency Assistance ("EA") benefits. The Agency reduced Petitioner's WFNJ/TANF benefits due to income disregards and terminated his EA benefits because he had exhausted all possible EA benefits, including available extensions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 25, 2014, the Honorable Laura Sanders, Acting Director and Chief Administrative Law Judge ("CALJ"), held a plenary hearing, took testimony and admitted documents.

On November 26, 2014, the CALJ issued her Initial Decision reversing the Agency's determination as to Petitioner's WFNJ/TANF benefits, and affirming the Agency's determination as to EA benefits. The CALJ found that based upon the record before her, the first full month Petitioner earned income was November 2014. See Initial Decision at 4. As such, the CALJ found that Petitioner should have received a 100 percent income disregard for that month, and directed the Agency to pay Petitioner the benefits amount improperly withheld. *Ibid.* With regard to the EA benefits, after careful review of the record, the CALJ determined that Petitioner had indeed exhausted all EA benefits available to him. See *id.* at 4-5.

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 record in this matter and the CALJ's Initial Decision and I concur with the CALJ's decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter.

Accordingly, the Initial Decision in this matter is ADOPTED and the Agency's action is REVERSED IN PART, as to WFNJ/TANF benefits, and AFFIRMED IN PART, as to EA benefits.

DEC -5 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director