



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 7150-14 K.K.

AGENCY DKT. NO. GA527798 (CAPE MAY COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 17, 2014, the Honorable Bruce M. Gorman, Administrative Law Judge ("ALJ"), held a hearing, took testimony and admitted documents. On July 31, 2014, the ALJ issued an Initial Decision which reversed the Agency determination.

Neither party submitted exceptions.

As the Director of the Division of Family Development, Department of Human Services, I independently reviewed the record and hereby ADOPT the Initial Decision and REVERSE the Agency determination.

As part of her first benefit redetermination, the Agency asked Petitioner to produce a copy of her birth certificate and a letter "from persons you live with stating their relationship to you and your responsibilities as a resident in their home as well as their lease or mortgage as proof of their address," ostensibly to establish Petitioner's residence. In response, Petitioner produced copies of her current passport and letters from the Social Security Administration and the local library addressed to her, a utility bill addressed to her father and a letter from her parents stating Petitioner lived with them.

Petitioner is the primary source of eligibility information and is responsible to provide all documentation required to establish eligibility for assistance. N.J.A.C.

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0:90-1.6(a); -2.2(a)(5). "Any WFNJ applicant/recipient who fails at any time to cooperate with any of the WFNJ program requirements without good cause shall render some or all of the assistance unit ineligible for WFNJ benefits." N.J.A.C. 10:90-2.2(d).

The Agency concedes Petitioner provided sufficient proof of residency. Less than six months after it granted WFNJ/GA, the Agency nevertheless does not explain why it asked for a copy of Petitioner's birth certificate, a list of her household responsibilities and her parents' lease agreement or mortgage documents to establish continued WFNJ/GA eligibility. I note Petitioner's allegation she previously produced responsive documents to the Agency when she applied for WFNJ/GA, the Agency lost those documents and she produced duplicate copies on several occasions, including a copy of her driver's license.

By way of comment, during the hearing the Petitioner testified that she has physical disabilities which prevent her from working. See Initial Decision at 2. If the Agency has not already done so, it shall immediately provide the Petitioner with a MED-1 form.

For the foregoing reasons, I AFFIRM the Initial Decision and the Agency determination.

AUG 28 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director