



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 187-15 L.F.

AGENCY DKT. NO. GA516850 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's denial of his Work First New Jersey/ General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner's GA benefits for failing to provide the Agency with required documentation of proof of who was supporting him prior to his application. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 3, 2015, the Honorable Jesse H. Strauss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On the same day, the ALJ issued his Initial Decision reversing the Agency's determination.

No exceptions to the Initial Decision were filed.

As the Deputy Director of the Division of Family Development, Department of Human Services, I have reviewed the record and the Initial Decision and hereby MODIFY the Initial Decision of the ALJ and REVERSE the Agency's determination.

An applicant/recipient, as a condition of eligibility for WFNJ/GA benefits, shall, among other things, provide all necessary documentation. See N.J.A.C. 10:90-2.2(a)(5). In addition, the Agency will ensure the applicant receives benefits retroactive to the date the application was signed. However, if the applicant is employable, eligibility shall commence after he or she has completed the 28-days in an employment related activity. N.J.A.C. 10:90-1.2(f)(8). Therefore, "[c]ash assistance shall be issued from the date eligibility is established, not the application date." *Ibid.*

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In the instant matter, Petitioner provided two letters from his sister, one dated November 15, 2015, and the other, dated November 30, 2015, indicating that he was living with her until August 28, 2014. See Initial Decision at 2; see also Exhibit P-1 and P-2. The second letter provided the additional detail that Petitioner was only asked to provide his own clothing and food while staying at his sister's premises. See Initial Decision at 2; see also Exhibit P-2.

Based on the foregoing, I concur with the ALJ that Petitioner provided sufficient documentation to the Agency and is eligible for retroactive WFNJ/GA benefits; however, such retroactive eligibility relates, not to the date of his application, but instead to the date he completed his 28-day WFNJ work requirement. N.J.A.C. 10:90-1.2(f)(8). Therefore, I modify the Initial Decision to the extent it directs the Agency to grant WFNJ/GA benefits retroactive to September 25, 2014, the date he completed his 28-day work activity.

Accordingly, the Initial Decision in this matter is MODIFIED, and the Agency's action REVERSED.

MAR 24 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Deputy Director