



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Director
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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 15584-14 M.O.

AGENCY DKT. NO. GA490266 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's termination of Petitioner's Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency terminated Petitioner's WFNJ/GA benefits for failing to provide the Agency with required documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 8, 2014, the Honorable Laura Sanders, Acting Director and Chief Administrative Law Judge ("CALJ"), held a plenary hearing, took testimony and admitted documents. On December 9, 2014, the CALJ issued her Initial Decision reversing the Agency's determination.

No exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the record and the Initial Decision and hereby ADOPT the Initial Decision of the CALJ 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, including contact information. See N.J.A.C. 10:90-2.2(a)(5).

In the instant matter, on September 15, 2014, the Agency sent a notice to Petitioner requesting documentation required for recertification of his WFNJ/GA benefits. See Initial Decision at 2. The record indicates that Petitioner dropped off documents to the Agency on September 19, 2014. See Exhibit P-1. However, on September 26, 2014, the Agency denied Petitioner's recertification for failure to provide the requested documentation. See Exhibit R-1.

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At the hearing, Petitioner testified that he had provided the required documents when requested, and additionally, he provided the necessary documentation at the time of the hearing. See Initial Decision at 2. The Agency, however, failed to produce any evidence of the Agency's request for information. See Initial Decision at 3.

Therefore, based on a review of the documentation provided by Petitioner and the absence of substantiating documentation on the part of the Agency, I concur with the CALJ that Petitioner has been eligible for WFNJ/GA since August 28, 2014 (the effective date of his WFNJ/GA ineligibility). See Initial Decision at 2.

By way of comment, the Agency is reminded of its responsibilities in representation and presentation of a matter at a plenary hearing before an ALJ, pursuant to N.J.A.C. 10:90-9.12(b).

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

JAN 20 2015

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director