



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 12692-14 M.S.

AGENCY DKT. NO. GA530263 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of his eligibility redetermination for Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner benefits based upon an alleged failure to provide the Agency with requested documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 21, 2014, the Honorable Jesse H. Strauss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On October 21, 2014, the ALJ issued his Initial Decision reversing the Agency's determination. The ALJ found that the Petitioner testified credibly that he did not receive the Agency's June 24, 2014 notice requesting specific documentation until July 22, 2014, which was supported by the submission into evidence of a copy of the envelope from the Agency that clearly showed a July 21, 2014 postmark. See Initial Decision at 2-3; see also Exhibit P-1 at F. The ALJ further found that Petitioner submitted the requested documentation after finally receiving a return phone call from the Agency on July 16, 2014, after daily efforts, since July 3, to ascertain why his benefits had not been paid in July. See *id.* at 3. The ALJ concluded that Petitioner should not be held responsible for not providing the requested documentation by the July 4 date contained in the notice that was not received until July 22, particularly in light of the fact that Petitioner had made good faith efforts to provide the documentation as soon as he learned of the demand on July 16. *Ibid.* The ALJ thus ordered the Agency to provide Petitioner with retroactive benefits to July 1, 2014. See *id.* at 4.

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 having made an independent review of the record, I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusions of Law in this matter.

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

DEC - 4 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director