



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 19261-15 N.D.

AGENCY DKT. NO. C233450 (PASSAIC COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of her Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits, and Emergency Assistance ("EA") benefits in the form of Temporary Rental Assistance ("TRA"). The Agency terminated Petitioner's WFNJ/TANF benefits because it determined that she was over the income eligibility level. Furthermore, the Agency terminated Petitioner EA benefits because she was no longer a WFNJ/TANF benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 10, 2015, the Honorable Jesse H. Strauss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On December 10, 2015, the ALJ issued an Initial Decision, affirming the Agency's determination. The record shows that Petitioner was a WFNJ/TANF and EA/TRA benefits recipient, when the Agency was notified of her new job and anticipated increased income. See Initial Decision at 2; see also Exhibit R-3 at 6-7. The record also shows that as a result of the projected additional income to Petitioner's assistant unit, the Agency determined that Petitioner's countable income exceeded her income eligibility level, thereby resulting in the termination of her WFNJ/TANF benefits. See Initial Decision at 2; see also Exhibit R-3 at 7-10. Consequently, the record shows that the Agency also terminated Petitioner's EA/TRA benefits because she was no longer a WFNJ/TANF benefits recipient. See Initial Decision at 4. The ALJ found that while Petitioner's WFNJ/TANF case was closed, it was with the understanding that her case would be reevaluated, once she started her new job and provided the Agency with actual paystubs. *Id.* at 2. The ALJ also found that

Petitioner essentially voluntarily quit her new job, when she was terminated due to her excessive absenteeism. *Id.* at 3; see also Exhibit R-4. Accordingly, the ALJ concluded that the Agency properly terminated Petitioner's WFNJ/TANF benefits because she voluntarily quit her job, without good cause, and the ALJ imposed a two-month period of WFNJ ineligibility. See Initial Decision at 3; see also N.J.A.C. 10:90-4.14(a) and (b). Additionally, the ALJ concluded that the Agency properly terminated Petitioner's EA/TRA benefits because she was no longer a WFNJ/TANF benefits recipient, and she caused her own homelessness by voluntarily quitting her job, without good cause, and the ALJ imposed a six-month period of EA ineligibility. See Initial Decision at 4; see also N.J.A.C. 10:90-6.1(c)(3) and N.J.A.C. 10:90-6.2(a).

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 following an independent review of the record, I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law in this matter.

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

Signed Copy on File

at DFD, BARA

DEC 28 2015

Natasha Johnson

Director