



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
P.O. Box 716
TRENTON, NEW JERSEY 08625

Chris Christie
Governor

Kim Guadagno
Lt. Governor

Jennifer Velez
Commissioner

Jeanette Page-Hawkins
Director
Tel. (609) 588-2000

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 8505-14 N.G.

AGENCY DKT. NO. C180006 (UNION COUNTY DIVISION OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's sanctioning of her Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency sanctioned WFNJ/TANF benefits due to non-compliance with her work activity. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 1, 2014, the Honorable Irene Jones, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On December 19, 2014, the ALJ issued her Initial Decision reversing the Agency's determination. The ALJ noted that on April 1, 2014, Petitioner was forced to leave her home due to foreclosure proceedings which necessitated Petitioner and all tenants to vacate the premises immediately. See Initial Decision at 2, para. 9. As a result, Petitioner moved from Union County to Essex County and she advised the Agency in Union County of such on April 9, 2014. See Exhibit P-1. During this time in early April, Petitioner had been assigned to a Community Work Experience Program ("CWEP") work activity in Union County, which she did not attend, thereby resulting in the sanctioning of her WFNJ/TANF benefits. See Exhibit R-1 at 6. Based upon the evidence presented, the ALJ found that Petitioner had timely advised the Agency of her move to another county "under urgent circumstances" and such circumstances constituted good cause for Petitioner's failure to attend her work activity pursuant to N.J.A.C. 10:90-4.11(b)(2)(iii). See Initial Decision at 3. As such, the ALJ concluded that the sanction against Petitioner's WFNJ/TANF benefits should be rescinded. *Ibid.*

No Exceptions to the Initial Decision were filed by either party.

As the Director of the Division of Family Development, Department of Human

Page 2

Services, I have considered the record in this matter and the ALJ's Initial Decision and I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter.

By way of comment, the transmittal in this matter indicates an appeal of the termination of Petitioner's Supplemental Nutrition Assistance Program ("SNAP"), f/k/a Food Stamps, benefits. As discussed above, the issue in this matter involves the sanctioning of Petitioner's WFNJ/TANF benefits. Furthermore, I note that Petitioner's SNAP benefits were properly terminated in Union County after she moved to Essex County. See Exhibit P-3; see also N.J.A.C. 10:87-3.2.

Accordingly, the Initial Decision in this matter is ADOPTED and the Agency's determination to sanction Petitioner's WFNJ/TANF benefits is hereby REVERSED.

JAN 20 2015

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director