



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

Elizabeth Connolly
Acting Commissioner

Natasha Johnson
Director
Tel. (609) 588-2400

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 4379-15 R.P.

AGENCY DKT. NO. GA366930 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner WFNJ/GA benefits because, purportedly she had resources which made her ineligible for benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. The hearing, originally scheduled for April 28, 2015, was adjourned to May 1, 2015, to allow the Agency to gather its relevant documents. On May 1, 2015, the Honorable Gail M. Cookson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On May 1, 2015, the ALJ issued her Initial Decision, reversing the Agency's determination. The ALJ found that Petitioner completed her WFNJ 28-day work activity, required for WFNJ/GA eligibility, in accordance with N.J.A.C. 10:90-4.1. See Initial Decision at 2, 3; see also Exhibit State of New Jersey form. Further, the Agency did not provide the court with any documentation to prove that Petitioner had resources which warranted their denial of WFNJ/GA benefits. *Id.* at 2. Accordingly, the ALJ found that Petitioner was eligible for WFNJ/GA benefits, and ordered the Agency to provide Petitioner with WFNJ/GA benefits retroactive to the date she completed her WFNJ 28-day work activity. *Id.* at 3; see also N.J.A.C. 10:90-1.2(f)(8).

No Exceptions to this 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.

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 hereby ADOPTED and the Agency's determination is REVERSED.

MAY 26 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director