



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Chris Christie
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Elizabeth Connolly
Acting Commissioner

Natasha Johnson
Director

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 3105-15 S.W.

AGENCY DKT. NO. C247339 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's termination of her Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits provided to her under the Supportive Assistance for Individuals and Families ("SAIF") program. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 14, 2015, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence. On April 15, 2015, the ALJ 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 considered the record in this matter and the ALJ's Initial Decision and having made an independent evaluation of the record, I hereby ADOPT the Initial Decision and REVERSE the Agency determination.

Pursuant to N.J.A.C. 10:90-9.1(a), an Agency must provide adequate notice advising of a termination, denial, or suspension of welfare benefits. Adequate notice is a written notice outlining the intended action and the reasons for the action. *Ibid.* Adequate notice requires, *inter alia*, the reason for the intended action and the regulation that supports it. N.J.A.C. 10:90-9.1(a)(ii-iii).

Here, the issue is whether Petitioner was given adequate notice prior to the Agency's termination of her SAIF benefits. The Agency closed Petitioner's SAIF benefits in January 2015. See Initial Decision at 2. On January 30, 2015, the

Agency referred Petitioner to the "New Community Corporation." Ibid. In February of 2015, Petitioner returned the referral to the Agency, and it then reinstated her SAIF benefits as of that month. Ibid. The Agency failed to notify Petitioner before it closed her SAIF benefits in January of 2015. Ibid.

The ALJ concluded that, based on the evidence presented, it was not shown that adequate notice was given to Petitioner prior to the termination of her SAIF benefits. id. at 3. Thus, the ALJ ordered that the Agency's termination of Petitioner's SAIF benefits for the month of January 2015 be reversed. id. I agree.

Accordingly, the Initial Decision in this matter is ADOPTED and the Agency determination is REVERSED.

Signed Copy on File
at DFD, BARA

MAY 19 2015

Natasha Johnson
Director