



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 14521-15 T.R.

AGENCY DKT. NO. GA528980 (BURLINGTON COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of his Work First New Jersey/General Assistance ("WFNJ/GA") and Emergency Assistance ("EA") benefits, and the reduction of his Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits. The Agency terminated Petitioner's WFNJ/GA benefits as it contended that Petitioner's countable income exceeded the maximum permissible income level, and as Petitioner did not qualify for WFNJ/GA benefits, he did not qualify for EA benefits. The Agency reduced his SNAP benefits due to earned income. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 9, 2015, the Honorable John S. Kennedy, Administrative Law Judge ("ALJ"), held a plenary hearing on all the issues presented, took testimony, and admitted documents into evidence.

On December 16, 2015, the ALJ issued an Initial Decision, affirming the Agency's determination. Petitioner maintained that the Agency had incorrectly terminated his WFNJ/GA and EA, and improperly reduced his SNAP benefits, arguing that he properly reported his income as required, but has since lost his job and therefore requires additional time receiving benefits in order to become self-sufficient. See Initial Decision at 3. However, Petitioner earned \$1,520 on average for the months of May and June 2015, thus taking him over the maximum allowable income level for receipt of WFNJ/GA benefits. *Ibid*; see also N.J.A.C. 10:90-3.5. Consequently, because Petitioner is no longer a WFNJ recipient and has not reapplied for benefits, he is no longer eligible to receive EA. See Initial Decision at 3; see also N.J.A.C. 10:90-6.2(a).

In addition, I agree with the ALJ's conclusion that Petitioner's SNAP benefits were properly reduced based on the income he reported. See Initial Decision at 4; see also N.J.A.C. 10:87-12.3. However, Petitioner is free to reapply for WFNJ/GA, EA, and SNAP benefits if he believes he now qualifies based on his current employment status.

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 decision 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.

DEC 29 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director