



State of New Jersey

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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 18234-17 S.L.

AGENCY DKT. NO. C012984010 (HUNTERDON COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency terminated Petitioner's WFNJ/GA benefits contending that he no longer resides in Hunterdon County. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 16, 2018, the Honorable Jeffrey N. Rabin, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open until February 6, 2018, to allow for the submission of additional documents, and the record then closed on that date.

On February 21, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Based on the testimony of the parties and the documentation presented, specifically Petitioner's Electronic Benefits Transfer ("EBT") transaction information, which indicated that Petitioner had made 117 purchases in Middlesex County, and only 5 purchases in Hunterdon County, between January and October of 2017, the ALJ found that Petitioner is not a resident of Hunterdon County. See Initial Decision at 2-4; see also Exhibits R-2, R-3. Moreover, the ALJ found that the testimony of both Petitioner, and his witness, was not credible, and that Petitioner failed to provide any proof of residency in Hunterdon County. See Initial Decision at 5-8; see also Exhibits P-1 through P-8. Therefore, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/GA benefits was proper and must stand. See Initial Decision at 8-11; see also Exhibit R-1, and N.J.A.C. 10:90-1.6, -2.11(b), -2.12. I agree.

Exceptions to the Initial Decision were filed by Legal Services, on behalf of Petitioner, on February 28, 2018.

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.

By way of comment, Petitioner may reapply for WFNJ/GA benefits in his county of residence, which, from the record, appears to be Middlesex County.

By way of further comment, I have reviewed the Exceptions submitted on behalf of Petitioner, and I find that the arguments made therein do not alter my decision in this matter.



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

Officially approved final version.

APR 04 2018

Natasha Johnson
Director

