



*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 9386-14 B.S.

AGENCY DKT. NO. CS32959340F (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's recoupment of Work First New Jersey/Temporary Assistance for Needy Families benefits from a lump sum child support payment in the amount of \$11,667. Because Petitioner appealed, this matter was transmitted to the Office of Administrative Law for a hearing. A hearing was scheduled for August 21, 2014, but the date was adjourned so that the Agency could obtain documentation. On September 4, 2014, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a hearing, took testimony and admitted documents. On September 5, 2014, the ALJ issued an Initial Decision, which reversed the Agency's action. The ALJ found the Agency was overpaid \$4,821.42 in child support arrears and ordered the Agency to reimburse Petitioner in that amount.

Neither party submitted exceptions. However, on September 18, 2014, Petitioner sent a copy of a warrant of removal indicating a lock-out date of September 17, 2014, and a copy of an Order for Orderly Removal, which stayed the warrant until September 22, 2014.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I ACCEPT and ADOPT the ALJ's Findings of Fact and Conclusions. As such, the Agency shall reimburse Petitioner in the amount of \$4,821.42 as soon as practicable.

By way of comment, the Agency is reminded of its obligation to provide testimony and documentation in support of its action and position. See N.J.A.C. 10:90-9.12(b). At the hearing, the Agency contended that \$20,000 in child support arrears were owed, however, the documentation provided by the Agency fails to provide any definitive or clear basis for how it determined that amount.

Accordingly, the Initial Decision is ADOPTED.

*Signed Copy on File*  
at DFD, BARA

**OCT 27 2014**

\_\_\_\_\_  
Jeanette Page-Hawkins  
Director