



## State of New Jersey

### DEPARTMENT OF HUMAN SERVICES

Division of Family Development  
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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 3179-15 C.S.

AGENCY DKT. NO. C412117 (CAMDEN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") and Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits because she lived in a different county. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 2, 2015, the Honorable Patricia M. Kerins, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On April 13, 2015, the ALJ issued an Initial Decision which reversed the Agency determination as to WFNJ/GA benefits.

Exceptions to the Initial Decision were filed by the Agency on April 21, 2015.

Petitioner submitted a copy of the Writ of Possession on April 23, 2015. A second submission of the Writ of Possession was forwarded by South Jersey Legal Services on behalf of Petitioner on April 30, 2015.

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 REJECT the Initial Decision in part, MODIFY in part, and AFFIRM the Agency determination as discussed below.

A review of the record in this matter indicates that the Agency denied WFNJ/GA benefits in early February 2015, effective January 7, 2015, because Petitioner was a resident of another county, specifically Gloucester County. See Exhibit R-1 at 1. The

ALJ disagreed with the Agency's determination, finding Petitioner's testimony credible that she intended to move to Camden County upon having to vacate her residence in Gloucester County as a result of a foreclosure. See Initial Decision at 3. The ALJ opined that Petitioner was entitled to have her WFNJ/GA application reviewed by Camden County on its merits, given the immanency of Petitioner having to soon vacate the premises. See *id.* at 3-4. I respectfully disagree with the ALJ.

At the time of Petitioner's application with Camden County in January 2015, it is undisputed that Petitioner was still residing in Gloucester County. See Initial Decision at 2. Furthermore, it is also clear that her intent was to remain living in Gloucester County, until such time as she was served with a Writ of Possession advising her of the date by which she would be forced to vacate her former home. *Ibid.* The date by which Petitioner had to vacate the home ultimately turned out to be May 5, 2015. *Ibid.* Based upon these facts, I find that the Agency properly denied Petitioner's application for WFNJ/GA benefits in Camden County effective January 7, 2015. See Exhibit R-1.

In regards to Petitioner's SNAP benefits, I modify the ALJ's Initial Decision because Petitioner must re-apply for SNAP benefits upon relocation due to the fact that her case does not administratively transfer as a matter of course. See N.J.A.C. 10:87-3.2(a); -3.3(a).

Accordingly, the Initial Decision is REJECTED in part, as to Petitioner's application for WFNJ/GA benefits, MODIFIED in part, as to Petitioner's SNAP benefits, and the Agency's determination is AFFIRMED.

*Signed Copy on File*  
at DFD, BARA

**MAY 26 2015**

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Natasha Johnson  
Director