



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 4410-15 D.D.

AGENCY DKT. NO. GA548361 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of his application for Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner benefits based upon an alleged failure to provide the Agency with requested documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 29, 2015, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On April 29, 2015, the ALJ issued her Initial Decision reversing the Agency's determination. The ALJ found that Petitioner completed the twenty-eight day work activity as of January 30, 2015. See Initial Decision at 2; see also Exhibit P-2. At the hearing, Petitioner provided an acknowledgment from the Agency that it received documents provided by him on February 3, 2015. *Ibid.*; see also Exhibit P-1.

Nevertheless, the Agency denied Petitioner's WFNJ/GA application for failure to provide information. See Initial Decision at 2. The two Agency representatives who appeared at the hearing did not provide a copy of a denial letter or any document to prove that Petitioner was noticed to provide additional documentation. *Ibid.* In fact, the Agency representatives testified that they could not find their file on Petitioner and did not know what documents Petitioner was to provide. *Ibid.*

Based upon the foregoing, the ALJ concluded that Petitioner was not informed that he needed to provide the Agency with any additional documentation. See Initial Decision at 3. Therefore, the ALJ ordered that the Agency's denial of WFNJ/GA benefits to Petitioner be reversed. Ibid.

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 ALJ's Initial Decision, and having made an independent review of the record, I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusions of Law in this matter.

By way of comment, the Agency is reminded of its responsibilities in representation and presentation of a matter at a plenary hearing before an ALJ, pursuant to N.J.A.C. 10:90-9.12(b).

Accordingly, the Initial Decision in this matter is ADOPTED and the Agency's action is hereby REVERSED.

MAY 26 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director