



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Acting Commissioner

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Director
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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 15876-15 D.P.

AGENCY DKT. NO. S525111 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits and Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's WFNJ/TANF benefits because her income was more than the maximum allowable and terminated Petitioner's EA benefits because she was no longer a WFNJ/TANF recipient, and therefore no longer eligible for EA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 11, 2015, the Honorable Leland S. McGee, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On December 29, 2015, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, Petitioner's income, calculated at \$541.25 per month, put her over the maximum allowable for receipt of WFNJ/TANF benefits, and accordingly, the Agency terminated Petitioner's WFNJ/TANF benefits. See Initial Decision at 2; see also Exhibit R-1; see also N.J.A.C. 10:90-3.3(b). The record further shows that Petitioner did not supply the Agency with receipt of her first paycheck on a timely basis, and therefore, her earned income would be calculated without an income disregard. See Exhibit R-2; see also N.J.A.C. 10:90-3.8(b)(1). Additionally, the ALJ found that because Petitioner's WFNJ/TANF benefits were terminated, she was no longer eligible for EA benefits. See Initial Decision at 2; see also Exhibit R-3; see also N.J.A.C. 10:90-6.2(a). I agree.

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 final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law in this matter.

By way of comment, the transmittal in this matter reflects a contested issue pertaining to the reduction of Petitioner's Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits which were not directly addressed by the ALJ in his Initial Decision. Based upon a review of the record in this matter, I find that there is not enough information to make a determination on the issue at this time. Therefore, if Petitioner still has an issue concerning the reduction of her SNAP benefits, she may request another fair hearing on that issue alone.

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

Signed Copy on File
at DFD, BARA

JAN 11 2016

Natasha Johnson
Director