



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 7481-15 H.F.

AGENCY DKT. NO. GA580566 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of his Work First New Jersey/General Assistance ("WFNJ/GA") benefits application. The Agency denied Petitioner's WFNJ/GA benefits application because he purportedly failed to provide the Agency with a valid lease agreement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 23, 2015, the Honorable Leland S. McGee, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On June 24, 2015, the ALJ issued his Initial Decision, reversing the Agency's determination. Here, the Agency denied Petitioner WFNJ/GA benefits application because he failed to provide a new lease agreement. See Initial Decision at 2; see Exhibits R-2 and R-5. The plenary hearing in the matter was originally scheduled to occur on April 2, 2015; however, Petitioner withdrew his request for a fair hearing on April 2, 2015, as the Agency recognized that it had made an error that resulted in Petitioner's WFNJ/GA case being improperly closed. *Id.*; see Exhibit R-1. As the Agency thereafter failed to correct the error, Petitioner then again requested a fair hearing on April 7, 2015. See Initial Decision at 2. As the facts remained undisputed at the subsequent June 23, 2015, plenary hearing, the ALJ found that the Agency improperly denied Petitioner's WFNJ/GA benefits application. *Id.* at 3. Accordingly, the ALJ reversed the Agency's determination. *Id.* at 4.

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 the matter and hereby ADOPT the Findings of Fact and Conclusion of Law in the 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 the matter is hereby ADOPTED and the Agency's determination is REVERSED.

JUL -7 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director