



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 16653-15 H.W.

AGENCY DKT. NO. GA288654 (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 WFNJ/GA benefits because it determined that he failed to provide the necessary documentation, without good cause, to determine his WFNJ/GA eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 9, 2015, the Honorable Jesse H. Strauss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On December 9, 2015, the ALJ issued an Initial Decision, reversing the Agency's determination. The record shows that Petitioner applied for WFNJ/GA benefits, and completed his mandatory 28-day work program. See Initial Decision at 2. The record also shows that Petitioner denied having received notice from the Agency, to provide an IRS verification of his filing status. *Ibid.* Petitioner provided the IRS documentation during the fair hearing. *Ibid.*; see also Exhibit P-1. The ALJ found that Petitioner did not receive any notice to submit the IRS verification, because the Agency could not prove that such request was made. See Initial Decision at 2. Accordingly, the ALJ concluded that the Agency improperly denied Petitioner's application for WFNJ/GA benefits, and ordered the Agency to provide Petitioner WFNJ/GA benefits, retroactive to September 1, 2015, the date of his completed work activity. *Id.* at 2-3; see also N.J.A.C. 10:90-1.2(f)(8).

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 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.

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

JAN 17 2016

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director