



## 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 14321-15 J.J.

AGENCY DKT. NO. GA183509 (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 his household unit allegedly included a child, thereby making him ineligible for the aforementioned benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 22, 2015, the Honorable Jesse H. Strauss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On October 22, 2015, the ALJ issued an Initial Decision, reversing the Agency's determination. The record shows that the Agency based its determination from a printout from its database. See Exhibit R-1 at 4, 6. However, Petitioner denied ever having a child or ever having custody or responsibility of a child. See Initial Decision at 2. The ALJ found that the Agency could not explain how it determined, nor prove, that the child was a member of Petitioner's household unit. *Ibid.* Accordingly, the ALJ concluded that the Agency improperly denied Petitioner's application for WFNJ/GA benefits, because it could not overcome Petitioner's assertion that he did not have a child in his household, which was the Agency's sole basis for the denial. *Id.* at 2-3. The ALJ, therefore, ordered the Agency to provide Petitioner with retroactive WFNJ/GA benefits to of the date of his completed work activity. *Id.* at 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.

*Signed Copy on File*  
at DFD, BARA

**NOV 17 2015**

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Natasha Johnson  
Director