



**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 63-15 L.M.

AGENCY DKT. NO. GA389842 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's denial of Petitioner's request for Emergency Assistance ("EA") benefits and termination of her Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner's EA application and terminated her WFNJ/GA benefits for failing to provide the Agency with required documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 6, 2015, the Honorable Michael Antoniewicz, Administrative Law Judge ("ALJ"), held a plenary hearing and took testimony. On January 7, 2015, the ALJ issued his Initial Decision affirming the Agency's determination.

No exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the record and the Initial Decision and hereby ADOPT the Initial Decision of the ALJ and AFFIRM the Agency's determination.

An applicant/recipient, as a condition of eligibility for WFNJ/GA benefits, shall, among other things, provide all necessary documentation. See N.J.A.C. 10:90-2.2(a)(5).

The purpose of EA is to meet the needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work related activities without disruption in order to continue on the path to self-sufficiency. See N.J.A.C. 10:90-6.1(a). Only WFNJ and Supplemental Security Income ("SSI") recipients are eligible for EA benefits. N.J.A.C. 10:90-6.2(a).

In the instant matter, Petitioner failed to provide documentation required for

recertification. See Initial Decision at 2. Since Petitioner was unable to produce the required documentation, the Agency terminated her WFNJ/GA benefits and as Petitioner was no longer a WFNJ benefits recipient, Petitioner was removed from her EA placement at a shelter. Ibid.

At the hearing before the ALJ, Petitioner abruptly left the proceeding before its conclusion, never returned, and ultimately never provided an explanation of her behavior. Ibid. Therefore, Petitioner failed to meet her burden to prove that the Agency wrongfully terminated her GA benefits and she abandoned her opportunity to do so. Consequently, as Petitioner is no longer a WFNJ recipient, she is not entitled to EA benefits. See N.J.A.C. 10:90-6.2(a). Therefore, I agree with the ALJ that the Agency was correct to terminate Petitioner's WFNJ/GA benefits and deny her EA application.

By way of comment, the transmittal notice indicates that there is a Supplemental Nutritional Assistance Program ("SNAP"), f/k/a Food Stamp Program, termination at issue. However, since the ALJ did not address this at the hearing and no evidence was presented on this issue, I will not address the viability of the SNAP termination here. Petitioner is without prejudice to request a fair hearing on the SNAP issue alone if it is still a contested issue.

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

**JAN 20 2015**

*Signed Copy on File*  
at DFD, BARA

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Jeanette Page-Hawkins  
Director