



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 19256-15 M.K.

AGENCY DKT. NO. GA582644 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of her application for Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner WFNJ/GA benefits because it determined that she was over the income eligibility level. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 7, 2015, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On December 8, 2015, the ALJ issued an Initial Decision, affirming the Agency's determination. The record shows that Petitioner applied for WFNJ/GA benefits, and provided the Agency with her individual and joint bank account statements. See Initial Decision at 2; see also Exhibits R-9, R-10, and R-11. The record also shows that Petitioner received either \$233 or \$262, in monthly rental income. See Initial Decision at 2; see Exhibits P-1 and P-2. Additionally, Petitioner testified that she is currently unemployable, and was receiving monthly payments as a result of injuries sustained in an auto accident, but she provided no documentation to support her claim. See Initial Decision at 2-3. The ALJ found that Petitioner's bank accounts were countable resources for the purpose of determining her WFNJ/GA benefits eligibility, because those accounts were within Petitioner's control for immediate use. *Id.* at 3; see also N.J.A.C. 10:90-3.10(a) and (b). The ALJ also found that Petitioner's total resources exceeded the maximum allowable income level for Petitioner's assistance unit size. See Initial Decision at 3; see also N.J.A.C.

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10:90-3.4(a). Accordingly, the ALJ concluded that the Agency properly denied Petitioner WFNJ/GA benefits. See Initial Decision at 4.

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 AFFIRMED.

DEC 14 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director