



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development

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Chris Christie
Governor

Kim Guadagno
Lt. Governor

Elizabeth Connolly
Acting Commissioner

Natasha Johnson
Director

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

REMAND DECISION

OAL DKT. NO. HPW 5938-15 M.S.

AGENCY DKT. NO. C662273 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's denial of her application for Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") and Supplemental Nutrition Assistance Program ("SNAP"), f/k/a Food Stamps, benefits. The Agency denied Petitioner's application for WFNJ/TANF and SNAP benefits due to Petitioner's alleged failure to provide information and documentation necessary to determine eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 19, 2015, the Honorable Richard McGill, Administrative Law Judge ("ALJ"), held a plenary hearing and took testimony. No documents were admitted into evidence.

On May 27, 2015, the ALJ issued his Initial Decision, reversing and vacating the Agency's determination. See Initial Decision at 3-4. Based upon Petitioner's credible testimony that she had, in fact, provided the requested information to the Agency, but it appeared the documentation did not reach the necessary individuals, the ALJ concluded that Petitioner's application for WFNJ/TANF and SNAP benefits should not have been denied for failure to provide information. See *id.* at 2-3. As the requested documentation is necessary to determine eligibility for benefits, the ALJ ordered that the Agency provide another request for documentation previously submitted and then evaluate Petitioner for WFNJ/TANF and SNAP benefits. See *id.* at 3-4. See N.J.A.C. 10:90-2.2(a)(5) and N.J.A.C. 10:87-2.14. The ALJ further ordered that if Petitioner was approved for WFNJ/TANF and/or SNAP benefits, said benefits would be granted retroactive to the date of Petitioner's application. *Ibid.*

No Exceptions to the Initial Decision were filed by either party.

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As the Director of the Division of Family Development, Department of Human Services, I have considered the record in this matter and the ALJ's Initial Decision and I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter. I remand this matter to the Agency to comply with directives as ordered by the ALJ in an expeditious manner. Petitioner is similarly directed to provide the necessary requested documentation in an expeditious fashion.

Accordingly, the Initial Decision in this matter is ADOPTED, the Agency's determination is hereby REVERSED and the matter is REMANDED to the Agency for action as ordered by the ALJ.

Signed Copy on File
at DFD, BARA

JUN 05 2015

Natasha Johnson
Director