



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Director

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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 1625-15 M.W.

AGENCY DKT. NO. C602930 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals the Respondent Agency's imposition of a sanction affecting Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") and Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 2, 2015, the Honorable Jeffrey A. Gerson, Administrative Law Judge ("ALJ"), held a plenary hearing and took testimony. On March 4, 2015, the ALJ issued an Initial Decision which reversed the Agency determination.

No exceptions to the Initial Decision were received.

As the Deputy 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 having made an independent evaluation of the record, I ADOPT the Findings of Fact and Conclusions of Law in the Initial Decision and REVERSE the Agency determination.

WFNJ applicants and recipients must cooperate with WFNJ work requirements as a condition of eligibility. N.J.A.C. 10:90-2.2(a)(2). "Any applicant who fails at any time to cooperate with any of the WFNJ work activities without good cause shall lose cash assistance benefits in accordance with the sanctions provisions at N.J.A.C. 10:90-4.13." N.J.A.C. 10:90-2.2(d). Likewise, an individual who has refused or failed to comply with WFNJ work requirements, without good cause, is treated as an ineligible household member of the SNAP assistance unit in accordance with

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N.J.A.C. 10:87-7.7. N.J.A.C. 10:87-10.16(a); -10.18. Notwithstanding, I agree with the ALJ's findings that the Agency failed to prove it gave timely and adequate notice of the sanction to Petitioner and failed to introduce sufficient credible evidence to substantiate its adverse action. N.J.A.C. 10:90-9.1; -9.12; 1:1-15.8(c).

Accordingly, the Initial Decision is ADOPTED and the Agency determination is REVERSED.

Signed Copy on File
at DFD, BARA

MAR 23 2018

Natasha Johnson
Deputy Director