



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development  
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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

FINAL DECISION

OAL DKT. NO. HPW 3009-15 R.A.

AGENCY DKT. NO. GA485347 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Petitioner's application for Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner's application for failing to provide required documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 1, 2015, the Honorable JoAnn Lasala Candido, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On April 2, 2015, the ALJ issued her Initial Decision reversing 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 MODIFY the Initial Decision of the ALJ and REVERSE the Agency's determination.

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

In the instant matter, on December 11, 2014, Petitioner applied for WFNJ/GA benefits. See Initial Decision at 2. On that same date, the Agency provided Petitioner with a Notice of Verification requesting additional information required for the processing of his application. See Exhibit R-1.

The Notice of Verification indicates that the requested information was to be provided to the Agency by December 21, 2014, and a telephone number was included for Petitioner to call for assistance, if needed, in obtaining documents. Ibid. One of the items of information requested was a letter "from whomever you reside with." Ibid. The record reveals that Petitioner provided the Agency with a letter dated January 5, 2015 from Jericho Road Mens Home verifying Petitioner's residence there since December 4, 2014. See Initial Decision at 2; see also Exhibit P-1. However, on February 11, 2015, the Agency denied Petitioner's application for failure to provide proof of support and a letter from the person with whom he resides. See Initial Decision at 2; see also Exhibit R-2.

At the hearing, Petitioner produced another letter from Jericho Road Mens Home dated February 15, 2015, confirming that Petitioner has been a resident there since December 4, 2014. See Exhibit P-2. The letter also stated that residents are not required to pay rent because Jericho Road is a Christian-run dwelling financed by donation only. Ibid. The ALJ correctly pointed out that proof of support was not requested in the Agency's Notice of Verification. See Initial Decision at 2; see also Exhibit R-1. Nevertheless, a WFNJ/GA applicant's income and resources are to be considered in determining eligibility. See N.J.A.C. 10:90-2.2(a)(4). In her Initial Decision, the ALJ found that Petitioner's application was inappropriately denied by the Agency because proofs provided at the hearing establish that Petitioner submitted all documents requested in the Notice of Verification. See Initial Decision at 3. The ALJ further concluded that Petitioner should receive benefits retroactive to the date of his application. Ibid.

Based on a review of the record, I agree with the ALJ that the Agency inappropriately denied Petitioner's application. However, I disagree with the ALJ that Petitioner should receive benefits retroactive to the date of his application and I hereby modify the Initial Decision on that basis. Pursuant to N.J.A.C. 10:90-1.2(f)(8), retroactive benefits will be granted to the date of the completion of Petitioner's 28-day work activity, which in this case, is January 9, 2015.

By way of comment, the record indicates that Petitioner also requested a fair hearing contesting the denial of Medicaid benefits. It should be noted, however, that the Medicaid program is not under the jurisdiction of this Division. However, a copy of the Initial and Final Decision will be forwarded to the Division of Medical Assistance and Health Services ("DMAHS") for review and resolution.

Accordingly, the ALJ's Initial Decision in this matter is MODIFIED, and the Agency's action is hereby REVERSED.

*Signed Copy on File*  
at DFD, BARA

**MAY 14 2015**

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Natasha Johnson  
Director