



## State of New Jersey

### DEPARTMENT OF HUMAN SERVICES

Division of Family Development  
P.O. Box 716  
TRENTON, NEW JERSEY 08625

Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

Elizabeth Connolly  
Acting Commissioner

Natasha Johnson  
Director  
Tel. (609) 588-2400

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 11651-15 T.C.

AGENCY DKT. NO. C412078 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's termination of her Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits and the denial of her Emergency Assistance ("EA") application requesting EA benefits in the form of back rent, Temporary Rental Assistance ("TRA") and a furniture voucher. The Agency terminated Petitioner's WFNJ/TANF benefits because her income was in excess of the eligibility limits for an assistance unit of her family's size. The Agency denied Petitioner EA benefits because she was no longer a WFNJ benefits recipient. On August 12, 2015, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held an emergent plenary hearing, took testimony and admitted documents.

On August 12, 2015, the ALJ issued his emergent Initial Decision, affirming the Agency's determination. Here, Petitioner testified that she began receiving Unemployment Insurance Benefits ("UIB") in July 2015, initially in the amount of \$295.00 per week, and she is currently receiving \$327.00 per week in UIB. See Initial Decision at 2; see also Exhibit R-3 at 1-3. As Petitioner began receiving UIB in an amount exceeding the income threshold to qualify for continued WFNJ/TANF benefits, the Agency closed her WFNJ/TANF case on June 30, 2015. See Exhibit R-1 at 2-3. Thereafter, the Agency denied Petitioner's EA application, effective July 24, 2015, on the basis that she was ineligible for EA benefits because she was no longer a WFNJ recipient. *Ibid.*; see also N.J.A.C. 10:90-6.2 (stating that only WFNJ and Supplemental Security Income benefits recipients are eligible for EA). The ALJ found that Petitioner's UIB benefits were effective as of May 17, 2015, and continued thereafter. See Initial Decision at 3.

Page 2

Based upon the foregoing, the ALJ concluded that the Agency correctly terminated Petitioner's WFNJ/TANF benefits due to income ineligibility, and thereby appropriately denied Petitioner's EA benefits application. See Initial Decision at 4. The ALJ thus ordered that the Agency's determination to deny Petitioner's EA benefits application be affirmed. Ibid.

No Exceptions to this 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.

By way of comment, I note that the transmittal in this matter reflects a contested issue pertaining to the termination of Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits on recertification. This issue, however, was not addressed in the Initial Decision, and as such, I make no finding on this issue. Petitioner is without prejudice to request another fair hearing on this issue alone if it still remains contested.

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

AUG 24 2015

*Signed Copy on File*  
at DFD, BARA

---

Natasha Johnson  
Director