



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 4413-15 V.F.

AGENCY DKT. NO. GA582622 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner WFNJ/GA benefits because, purportedly, she failed to provide it with the all requested documents. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 6, 2015, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a plenary hearing and took testimony. No documents were admitted into evidence.

On May 11, 2015, the ALJ issued her Initial Decision, reversing the Agency's determination. Here, the Agency denied Petitioner WFNJ/GA benefits because, purportedly, she failed to provide any of the information it requested. See Initial Decision at 2. However, the ALJ found that Petitioner credibly testified that she had personally provided all information requested by the Agency. Ibid. Additionally, the Agency's representative testified that she had reviewed Petitioner's file, and confirmed at the hearing that Petitioner had provided all information that the file indicated she needed to provide. Ibid. Moreover, the ALJ left the record open for 24 hours to allow the Agency to identify and provide the court with evidence of any requested information not provided to it by Petitioner. Ibid. No documentation was provided to the court by the Agency, and the record was closed. Accordingly, the ALJ found that the Agency improperly denied Petitioner WFNJ/GA benefits.

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, the Agency is reminded of its responsibilities in representation and presentation of a matter at a plenary hearing before an ALJ, pursuant to N.J.A.C. 10:90-9.12(b).

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

MAY 29 2015 *Signed Copy on File*
at DFD, BARA

Natasha Johnson
Director