



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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TRENTON, NJ 08625-0716

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 07055-18 G.S.

AGENCY DKT. NO. C041022015 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") and Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's WFNJ/TANF benefits contending that she received child support payments which put her income above the WFNJ/TANF maximum benefit eligibility level, and terminated Petitioner's EA benefits because she was no longer a WFNJ/TANF benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 26, 2018, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On July 17, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that from January 2018, through May 2018, Petitioner, a WFNJ/TANF benefits recipient, received monthly child support payments in the amounts of \$580 in January 2018, and February 2018, \$560 in March 2018, and April 2018, and \$620 in May 2018. See Initial Decision at 2; see also Exhibits TANF/R-2, and EA/R-4 at 4. The maximum benefit payment level for a WFNJ/TANF assistance unit ("AU") comprised of four members is \$488. See Initial Decision at 2; see also N.J.A.C. 10:90-3.3(b). The ALJ found that from January 2018, through May 2018, the income for Petitioner's AU of 4 exceeded the maximum allowable benefit level for receipt of WFNJ/TANF benefits, even after applying the applicable income disregards. See Initial Decision at 2, 3; see also N.J.A.C. 10:90-3.1(c), -3.3(b), -3.8(h)(2). Based on the foregoing, the ALJ concluded that Petitioner is no longer eligible for WFNJ/TANF benefits and that the Agency's termination of Petitioner's WFNJ/TANF benefits was proper and must stand. See Initial Decision at 3-4; see also Exhibit TANF/R-1, and N.J.A.C. 10:90-3.1(c). I agree. The ALJ further concluded that the Agency properly terminated Petitioner's EA benefits, effective June 1, 2018, as only WFNJ, and Supplemental Security Income benefits recipients, are eligible for EA benefits. See Initial Decision at 3-4; see also Exhibit EA/R-1, and N.J.A.C. 10:90-6.2(a). I also agree.

No Exceptions to the Initial Decision were received.

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.

By way of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her current needs, including Social Services for the Homeless.



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

Officially approved final version.

Natasha Johnson
Director

AUG 28 2018

