



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 11427-18 S.H.

AGENCY DKT. NO. C713166007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA"), Emergency Assistance ("EA"), and Supplemental Nutrition Assistance Program ("SNAP"), benefits. The Agency denied Petitioner WFNJ/GA, EA, and SNAP benefits contending that she failed to complete the application process. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 10, 2018, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On August 13, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination regarding the denial of EA benefits to Petitioner.

No Exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Here, the record reflects that Petitioner initially applied for WFNJ/GA and EA benefits in September 2017, at which time she received immediate need housing assistance while her application for WFNJ/GA benefits was pending approval. See Initial Decision at 3; see also Exhibits P-18 at 2, R-1, and N.J.A.C. 10:90-1.3. In order to complete its approval of Petitioner's application for WFNJ/GA and EA benefits, the Agency required certain documentation and notified Petitioner, on several occasions, of the documentation needed. See Initial Decision at 3; see also Exhibit P-16. Although Petitioner completed her mandatory WFNJ 28-day work activity as a condition for receipt of WFNJ/GA benefits, she failed to provide the Agency with all documentation required to determine eligibility for WFNJ/GA and EA benefits within 30 days of the date of her application for said benefits, and by notice dated October 31, 2017, Petitioner was denied WFNJ/GA and EA benefits. See Exhibits R-4 through R-6, P-17; see also "Notification Form" dated October 31, 2017, and N.J.A.C. 10:90-1.5, -2.2(a)(5). Around that same time, Petitioner was advised to reapply for said benefits, but she refused to reapply, or to provide the Agency with required documentation. See Initial Decision at 3; see also Exhibits P-7 through P-11, R-4.

In August 2018, Petitioner returned to the Agency to again apply for WFNJ/GA and EA benefits, but refused to complete a new application for said benefits insisting, instead, that the Agency rely on her September 2017, application and the information contained therein. See Initial Decision at 3. However, since Petitioner's case had been closed in 2017, she was required to complete the application process again. *Ibid.*; see also "Notification Form" dated October 31, 2017, and N.J.A.C. 10:90-1.2(d). Petitioner was also advised that she would have to complete the mandatory WFNJ 28-day work



activity again, but she refused. See Initial Decision at 3; see also N.J.A.C. 10:90-1.2(f)(8). Petitioner now contends that the Agency refused to allow her to apply for WFNJ/GA and EA benefits.

The ALJ in this matter found that Petitioner refused, and moreover, admitted on the record that she did not, and would not, submit a new application for benefits, as required. See Initial Decision at 3. Based on the foregoing, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. *Id.* at 3-4. I agree.

While the ALJ did not specifically address the Agency's denial of WFNJ/GA benefits to Petitioner, based on an independent review of the record, I find that the record clearly indicates that Petitioner also refused to complete a new application for WFNJ/GA benefits, and as such, I find that the Agency's denial of WFNJ/GA benefits to Petitioner was also proper and must stand. See Initial Decision at 3; see also Exhibit R-4. The Initial Decision is modified to reflect this finding.

Further, also based on an independent review of the record, I find that it is clear from the record that Petitioner has refused to participate in a work activity, and as such, that she is also ineligible for SNAP benefits. *Ibid.*; see also Exhibits P-13, P-17 at 3, and N.J.A.C. 10:87-10.20. Therefore, I find that the Agency's denial of Petitioner's SNAP benefits was also proper and must stand. The Initial Decision is further modified to reflect this finding.

By way of comment, Petitioner is without prejudice to reapply for WFNJ/GA, EA, and SNAP benefits, and is reminded of her responsibility to comply with all eligibility requirements in the application process.

Accordingly, the Initial Decision is hereby MODIFIED, and the Agency's action is AFFIRMED, as outlined in the discussion above.

Officially approved final version.

AUG 23 2018

Natasha Johnson
Director

