



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 09959-18 V.E.

AGENCY DKT. NO. C128171007 (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 contending that she failed to provide proof of residency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 30, 2018, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On August 22, 2018, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the ALJ found that Petitioner had provided the Agency with a utility bill from her deceased uncle's residence, and a letter from her mother giving Petitioner permission to reside at her late uncle's home. See Initial Decision at 2; see also Exhibit R-1 at 5-7. Additionally, Petitioner testified that she would be providing the Agency with a copy of the executor's certificate which would demonstrate that Petitioner's relatives had the legal authority to allow Petitioner to remain in her late uncle's home. See Initial Decision at 2. Based on the foregoing, the ALJ found that the documentation that Petitioner had provided to the Agency was sufficient to establish her residency. Id. at 3. Of note, the letter from Petitioner's mother also stated that no family members were providing food or financial assistance to Petitioner. Id. at 2; see also Exhibit R-1 at 5. Accordingly, the ALJ concluded that Petitioner is eligible for WFNJ/GA benefits. See Initial Decision at 3; see also Exhibit R-1 at 1-4, and N.J.A.C. 10:90-2.2(a)(5). I 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.

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

Officially approved final version.

OCT 01 2018

Natasha Johnson
Director

