



State of New Jersey

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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 02215-18 Y.J.

AGENCY DKT. NO. C097107007 (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 required documents. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 8, 2018, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On April 5, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner applied for WFNJ/GA benefits on December 27, 2017. See Initial Decision at 2; see also Exhibit R-3. In order to determine eligibility for WFNJ/GA benefits, Petitioner was given a Notice of Verification indicating that she must provide, among other items, her spouse's 2016 income tax return with dependent page. See Initial Decision at 2; see also Exhibit R-4. On January 25, 2018, Petitioner provided most of the documents to the Agency that it had requested, but did not produce her spouse's 2016 income tax return. See Initial Decision at 2; see also Exhibit R-6. Accordingly, on January 30, 2018, the Agency denied Petitioner's application for WFNJ/GA benefits for failing to provide her spouse's 2016 income tax return. See Initial Decision at 2; see also Exhibit R-3. Based on the evidence provided by the parties, including the opportunity to observe their demeanor at the hearing, the ALJ determined that Petitioner deliberately omitted providing her spouse's 2016 income tax return to the Agency. See Initial Decision at 2-3; see also Exhibits R-4, R-6. Therefore, the ALJ concluded that the Agency's denial of WFNJ/GA benefits to Petitioner was proper and must stand. See Initial Decision at 3-4; see also Exhibit R-3, and N.J.A.C. 10:90-2.2(a)(5). I agree.

Exceptions to the Initial Decision were filed by Petitioner on March 8, 2018.

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, I have reviewed Petitioner's Exceptions, and I find that they do not alter my decision in this matter. Moreover, Petitioner included documents with her Exceptions which were not introduced and submitted into evidence at the hearing before the ALJ. I am not permitted to consider documents as evidence that were not put into evidence at the hearing for consideration by the ALJ. See N.J.A.C. 1:1-18.4(c).



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

MAY 07 2018

Officially approved final version.

Natasha Johnson
Director

