



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT

CAROLE JOHNSON
Commissioner

SHEILA Y. OLIVER
Lt. Governor

PO BOX 716
TRENTON, NJ 08625-0716

NATASHA JOHNSON
Assistant Commissioner

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 14816-19 M.A.

AGENCY DKT. NO. C764338007 (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 he failed to provide requested documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 6, 2019, the Honorable Gail M. Cookson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On November 6, 2019, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record reflects that, as a requirement for WFNJ/GA benefits eligibility, the Agency requested that Petitioner provide his bank statements for the period of July 1, 2019, through September 30, 2019, with a deadline of October 3, 2019, for submission of said documents. See Initial Decision at 2; see also Exhibit R-1 at 5-6. It is undisputed by the parties that on October 2, 2019, Petitioner provided the Agency with his bank statements for the period of July 24, 2019, through September 23, 2019. See Initial Decision at 2; see also Exhibit P-1. Nevertheless, the Agency denied Petitioner WFNJ/GA benefits because he had failed to provide it with his bank statements from July 1, 2019, through July 23, 2019. See Initial Decision at 2; see also Exhibit R-1 at 1-3, and N.J.A.C. 10:90-2.2(a)(5). However, the ALJ found that Petitioner had belatedly realized that the bank statements he had provided did not cover the full month of July, but by that time, he had already been denied WFNJ/GA benefits, and it was incumbent upon the Agency to reach out to Petitioner to advise him of the discrepancy and to give him time to provide the missing bank statements, but it did not. See Initial Decision at 3, see also N.J.A.C. 10:90-1.2(b). Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/GA benefits to Petitioner was based on a technicality that could have been easily cured. See Initial Decision at 3. Accordingly, the ALJ reversed the Agency's denial of WFNJ/GA benefits to Petitioner and ordered the Agency to provide him with said benefits retroactive to October 2, 2019. *Ibid.* 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.

Natasha Johnson
Assistant Commissioner

NOV 20 2019

