



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 05291-21 R.M.

AGENCY DKT. NO. C211140016 (PASSAIC COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency denied Petitioner WFNJ/TANF benefits, contending that Petitioner failed to provide documentation required to determine WFNJ/TANF benefits eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 8, 2021, a pre-conference hearing was held. Following an exchange of discovery and written argument, on August 31, 2021, the Honorable Matthew Miller, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On September 15, 2021, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record reflects that the Agency denied WFNJ/TANF benefits to Petitioner, contending that she had failed to provide documentation to prove that she had an eligible child in her household, a prerequisite for WFNJ/TANF benefits eligibility. See Initial Decision at 2-4; see also Exhibits R-1 at 27-28, and N.J.A.C. 10:90-2.2(a)(5), -2.7(a)(1). Specifically, the Agency contended that Petitioner had failed to provide proof that her 18 year old son had been attending GED classes in the Spring of 2021. See Initial Decision at 3, 5. However, based on the credible testimony of Petitioner's son, and the documentation provided, the ALJ found that Petitioner's 18 year old son resided with her and that he had enrolled in, and had been attending, a GED program in the Spring 2021, semester which he was expected to complete by age 19. See Initial Decision at 4-5, 7-8; see also Exhibits P-2, R-1 at 7-14. Further, the ALJ found that the Agency had failed to provide sufficient competent evidence to rebut Petitioner's claim that he had attended said GED program. See Initial Decision at 7-8; see also Exhibit R-1 at 29-30, and N.J.A.C. 1:1-15(a), (b). Accordingly, the ALJ found Petitioner eligible for WFNJ/TANF benefits. See Initial Decision at 7-8. Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/TANF benefits to Petitioner was improper, and must be reversed. *Id.* at 8; see also N.J.A.C. 10:90-2.7(a)(1). I agree, and direct the Agency to provide Petitioner with WFNJ/TANF benefits retroactive to March 12, 2021, the date of Petitioner's WFNJ/TANF benefits application. See Initial Decision at 2, 8.

No Exceptions to the Initial Decision were received.



As Assistant Commissioner, 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 1, 9 2021

Natasha Johnson

Assistant Commissioner

