



State of New Jersey

PHILIP D. MURPHY  
Governor

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716  
TRENTON, NJ 08625-0716

SARAH ADELMAN  
Acting Commissioner

SHEILA Y. OLIVER  
Lt. Governor

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 03589-21 M.F.

AGENCY DKT. NO. C180216013 (MONMOUTH COUNTY DIV. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") and Emergency Assistance ("EA") benefits, and the reduction of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's WFNJ/GA benefits because her total monthly income put the assistance unit over the maximum allowable benefit level for continued receipt of WFNJ/GA benefits, and terminated Petitioner's EA benefits because she was no longer a WFNJ cash benefits recipient, nor a Supplemental Security Income ("SSI") benefits recipient. Petitioner's SNAP benefits were reduced due to the increase in household income. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 27, 2021, the Honorable Catherine A. Tuohy, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On April 28, 2021, the ALJ issued an Initial Decision, affirming the Agency's determinations.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determinations, based on the discussion below.

In order to be eligible for WFNJ/GA benefits, the total countable income of the unemployable single adult, or couple without dependent children, must be equal to or less than the maximum benefit payment level for the size of the assistance unit as set out in Schedule V at N.J.A.C. 10:90-3.6(a). See N.J.A.C. 10:90-3.1(b)(1). Effective July 1, 2019, the benefit level for an unemployable WFNJ/GA assistance unit that consists of one individual is \$277 per month. See N.J.A.C. 10:90-3.6(a); see also DFD Informational Transmittal ("IT") No. 19-12.

In accordance with N.J.A.C. 10:90-3.9(b), (e), unearned income in form of Retirement, Survivors and Disability Insurance ("RSDI") is countable towards WFNJ eligibility.

Only WFNJ cash assistance recipients and SSI recipients are eligible for EA benefits. See N.J.A.C. 10:90-6.2(a).



Here, the record reflects that Petitioner was determined eligible for RSDI benefits, and now receives recurring monthly RSDI benefits in the amount \$840. See Initial Decision at 2; see also Exhibit R-1 at 2. As Petitioner's monthly unearned income from RSDI benefits exceeded the unemployable WFNJ/GA maximum benefit level of \$277, by notice dated March 9, 2021, the Agency advised Petitioner that she was no longer eligible for WFNJ/GA benefits. See Initial Decision at 2; see also N.J.A.C. 10:90-3.6(a) and Exhibit R-1 at 5. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/GA benefits was proper and must stand. See Initial Decision at 5. I agree. The ALJ also concluded that, because Petitioner was no longer a WFNJ/GA benefits recipient, nor an SSI benefits recipient, the Agency's termination of Petitioner's EA benefits was also proper and must stand. See Initial Decision at 5; see also N.J.A.C. 10:90-6.2(a) and Exhibit R-2 at 13. I also agree.

With respect to the reduction of Petitioner's SNAP benefits, based on the record presented, the ALJ also affirmed the Agency's action, but also stated that the household continues to receive the maximum amount of SNAP benefits, due to the ongoing COVID-19 pandemic. See Initial Decision at 5; see also Exhibit R-1 at 11, 12 and N.J.A.C. 10:87-6.16. I also agree. I do note that, as a household's total income increases, with all other factors in the allotment calculation remaining constant, the household's SNAP benefits will decrease. See Exhibit R-1 at 11 (showing the revised SNAP allotment calculations for Petitioner's household with the increased income from RSDI, resulting in a reduction of SNAP benefits).

By of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her current needs, including Social Services for the Homeless.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determinations are AFFIRMED, as outlined above.

Officially approved final version.

MAY 06 2021

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Natasha Johnson  
Assistant Commissioner





State of New Jersey

PHILIP D. MURPHY  
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DEPARTMENT OF HUMAN SERVICES  
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STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 00970-21 M.G.

AGENCY DKT. NO. C036073020 (UNION COUNTY DIVISION OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency denied Petitioner SNAP benefits because Petitioner's total household monthly unearned income exceeded the maximum permissible level for receipt of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 5, 2021, the Honorable John P. Scollo, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents into evidence. On March 12, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have considered the ALJ's Initial Decision and following an independent review of the record, the ALJ's Initial Decision is hereby MODIFIED and the Agency determination is AFFIRMED, based on the discussion below.

Regulatory authority applicable to SNAP benefit cases, defines income as "all income from whatever source unless such income is specifically excluded." See N.J.A.C. 10:87-5.3. Additionally, for SNAP benefits cases, unearned income includes survivors, disability, and Social Security benefits for both adults and children in the household. See N.J.A.C. 10:87-5.5(a)(2). Further, N.J.A.C. 10:87-5.5(a)(2) specifically includes "unemployment compensation" as unearned income, which is to be included when determining a household's SNAP eligibility.

In order to determine an applicant's eligibility for SNAP, the applicant's income and resources must be below a certain threshold. In accordance with N.J.A.C. 10:87-6.16(b)(1), households which contain an elderly or permanently disabled individual, as defined by N.J.A.C. 10:87-2.34, must meet the net income test for SNAP eligibility. N.J.A.C. 10:87-6.16(d)(2), states that households that do not contain an elderly or permanently disabled household member must meet both the gross income test, as well as the net income test, meaning that the respective income amounts must be below the established standards. See also N.J.A.C. 10:87-12.3, -12.4. N.J.A.C. 10:87-6.16(b) further outlines the procedures



used to calculate both gross and net income for SNAP benefits purposes, and the applicable benefit levels, if eligible. The regulation provides that the applicant's monthly net income is determined by adding together all earned and unearned income, then subtracting all income exclusions. Then, the standard deduction, based upon the size of the household, is subtracted from the income.

Thereafter, the household is evaluated to determine if a medical deduction is appropriate, which is if the household has medical expenses that exceed \$35.00. If the household is entitled to a medical deduction, then the amount in excess of \$35.00 is subtracted from the applicant's income. Then, the applicant is evaluated for an excess shelter deduction. Such a deduction is permitted when the individual's shelter costs exceed 50% of their net income. If this deduction is allowable, then the difference between the shelter costs and the 50% net income, or up to the maximum allowable amount, is subtracted from the individual's income. The remaining figure is Petitioner's net income for SNAP benefits purposes. This net income is then compared against the maximum allowable net income amount for the household's size, as outlined at N.J.A.C. 10:87-12.3, to determine eligibility. If eligible, the household's monthly SNAP allotment shall be equal to the maximum food stamp allotment for the household's size, reduced by 30 percent of the household's net monthly income. See N.J.A.C. 10:87-12.6(a)(1).

Here, while Petitioner was initially denied SNAP benefits in December, 2020, the Agency later rescinded the denial, and Petitioner was issued SNAP benefits for the month of January, 2021. See Initial Decision at 2. However, the Agency later issued Petitioner another denial notice dated January 20, 2021, for excess income over the eligibility limit. *Ibid.* As Petitioner's household includes a disabled household member, only the net income test for eligibility must be met. See N.J.A.C. 10:87-6.16(b)(1).

The record in this matter reflects that Petitioner's household is comprised of three people, Petitioner, her adult daughter, and her adult daughter's child. See Initial Decision at 1. The record further reflects that Petitioner receives \$345 in Retirement, Survivors and Disability Insurance ("RSDI") and \$418 in Supplemental Security Income ("SSI") benefits, her adult daughter receives \$884 in RSDI benefits, as well as \$1,001 in Unemployment Insurance Benefits ("UIB"), and Petitioner's granddaughter receives \$108 in RSDI benefits, for a household total of \$2,755 in unearned income. *Ibid.* The record is devoid of any indication of any earned income in the household. After subtracting the correct standard deduction for a household of three of \$167, from the monthly unearned income total of \$2,755, Petitioner's household income is reduced to \$2,588. See N.J.A.C. 10:87-6.16(b)(4); see also DFDI Instruction ("DFDI") 20-09-04 at 11. There is no indication that Petitioner has any medical expenses which exceed \$35. See N.J.A.C. 10:87-6.16(b)(5). Next is to determine if Petitioner receives a shelter deduction and if so, how much. I hereby take official notice that the records of this office indicate that Petitioner's shelter costs are \$1,250, plus the Heating and Cooling Standard Utility Allowance ("HCSUA") of \$548, for a total of \$1,798. See N.J.A.C. 1:1-15.2(a), N.J.R.E. 201(b)(4), and N.J.A.C. 10:87-6.16(b)(8). Subtracted from the total shelter costs, \$1,798, is 50% of Petitioner's net monthly income after the above deductions, or half of \$2,588, which is \$1,294, resulting in an excess shelter deduction of \$504 (\$1,798 - \$1,294). See N.J.A.C. 10:87-6.16(b)(8). Accordingly, Petitioner's total net monthly SNAP income is calculated as  $\$2,755 - 167 - 504 = \$2,084$ . *Ibid.* That amount is then compared to maximum allowable net income chart, which reflects that the maximum allowable net income for a household of three is \$1,810. See DFDI 20-09-04 at 12; see also N.J.A.C. 10:87-6.16(d)(2). As Petitioner's net monthly SNAP income is more than the maximum allowable, Petitioner is not eligible for SNAP benefits. Based on the foregoing, I agree with the ALJ's ultimate conclusion that Petitioner was correctly denied SNAP benefits. See Initial Decision at 4; see also Exhibit R-1 at 3. The Initial Decision is modified, however, to include the above analysis.

Accordingly, the Initial Decision in this matter is hereby MODIFIED and the Agency's determination is AFFIRMED, as outlined above.



Officially approved final version.

MAY 06 2021

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Natasha Johnson  
Assistant Commissioner





State of New Jersey

PHILIP D. MURPHY  
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DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT

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NATASHA JOHNSON  
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STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 03558-21 M.M.

AGENCY DKT. NO. C186927013 (MONMOUTH COUNTY DIV. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA"), and Emergency Assistance ("EA"), benefits. The Agency denied Petitioner WFNJ/GA benefits, contending that he had failed to provide required documentation, and had failed to follow up on his Unemployment Insurance Benefits ("UIB") claim. The Agency denied Petitioner EA benefits because he was not a WFNJ, nor a Supplemental Security Income ("SSI") benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 26, 2021, the Honorable Elia A. Pelios, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. Also on April 26, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), 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.

Initial financial eligibility for WFNJ benefits is determined based upon the assistance unit's ("AU") countable income, both earned and unearned, as well as countable resources. See N.J.A.C. 10:90-3.1(a). If a WFNJ/GA AU has income that is equal to or less than the maximum allowable income level, then financial eligibility exists. See N.J.A.C. 10:90-3.1(b) and -3.5(b). For an employable WFNJ/GA benefits AU of one person, effective July 1, 2019, the maximum allowable income level is \$278 per month. See DFD Informational Transmittal ("IT") No. 19-21.

Here, the record reflects that Petitioner applied for WFNJ/GA benefits on March 9, 2021, and was advised that, in order to be determined eligible for WFNJ/GA benefits he was required to apply for, and access, his UIB within 30-days from the date of said application, as he had \$15,640 available in remaining UIB. See Initial Decision at 2-3; see also Exhibits R-1 at 2, and N.J.A.C. 10:90-2.2(a) (3). It appears from the record that Petitioner had applied for UIB, but had failed to follow up on receipt of said benefits in a timely manner. See Initial Decision at 3; see also Exhibit R-1 at 6-7.

Consequently, by notice dated April 8, 2021, the Agency denied Petitioner WFNJ/GA benefits for



failure to follow through with his UIB claim. See Initial Decision at 3; see also Exhibit R-1 at 8-11, and N.J.A.C. 10:90-2.2(a). However, the ALJ found that this matter had been resolved, as Petitioner had begun receiving monthly UIB income on April 22, 2021, and that he is currently receiving \$996.59 in monthly UIB income. See Initial Decision at 2-4; see also N.J.A.C. 10:90-3.11(c)(1)(i). As such, the ALJ found that Petitioner's monthly UIB income exceeds the initial financial eligibility level of \$210 allowable for receipt of WFNJ/GA benefits, and on that basis, concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 4-5; see also Exhibit R-1 at 8-11, and N.J.A.C. 10:90-3.1(b) and -3.5(b). While I agree with the ALJ's ultimate conclusion, the Initial Decision is modified to reflect that, as of July 1, 2019, the maximum initial financial eligibility level allowable for receipt of WFNJ/GA benefits for an employable assistance unit of one person is \$278 per month. See DFD IT No. 19-21.

Further, the ALJ also found that, because Petitioner is not a WFNJ/GA or SSI benefits recipient, he is ineligible for EA benefits. See Initial Decision at 5; see also N.J.A.C. 10:90-6.2(a). Accordingly, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 5; see also Exhibit R-2 at 15-17. I also agree.

By way of comment, the record indicates that Petitioner had reapplied for WFNJ/GA benefits on April 12, 2021, and in light of the fact that Petitioner began receiving UIB of \$230 per month on April 22, 2021, which puts Petitioner over the maximum initial financial eligibility level allowable for receipt of WFNJ/GA benefits, the ALJ found that it is expected that Petitioner's April 12, 2021, application will be denied. See Initial Decision at 2.

By way of further comment, Petitioner is advised that he may reapply for WFNJ/GA and EA benefits at such time as his UIB ceases.

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

Officially approved final version.

MAY 06 2021

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Natasha Johnson  
Assistant Commissioner





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STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 01626-21 D.H.

AGENCY DKT. NO. C138688002 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner appeals the correctness of the Respondent Agency's reduction of Petitioner's Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits and the denial Emergency Assistance ("EA") benefits. The Agency reduced Petitioner's WFNJ/TANF monthly benefits amount due to receipt of Unemployment Insurance Benefits ("UIB") by Petitioner. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 11, 2021, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open to allow Petitioner additional time to submit documents. No such documentation was received and the record then closed on March 15, 2021.

On March 18, 2021, the ALJ issued an Initial Decision, affirming the Agency's reduction of Petitioner's WFNJ/TANF benefits, and dismissing Petitioner's EA benefits denial appeal. Here, the ALJ found, and the record substantiates, that the Agency had properly reduced Petitioner's monthly WFNJ/TANF benefit amount due to her receipt of UIB and weekly court ordered child support payments. See Initial Decision at 3-4; see also Exhibits R-5 through R-8. Petitioner claimed that she was not receiving UIB, and the record was held open to allow Petitioner the opportunity to provide proof of that claim. See Initial Decision at 1; see also Exhibits P-1, P-2. However, the ALJ found that Petitioner had failed to provide any credible evidence to substantiate her claim. See Initial Decision at 4. Based on the foregoing, the ALJ concluded that the Agency's reduction of Petitioner monthly WFNJ/TANF to \$22.00 per month was proper and must stand. *Id.* at 3-4; see also Exhibit R-2, and N.J.A.C. 10:90-3.1, -3.8. I agree.

Additionally, the record reflects, and Petitioner acknowledged, that she is currently receiving EA benefits and presently residing in a motel placement. See Initial Decision at 2; see also Exhibit R-4. The record also reflects that Petitioner's termination from a prior housing program placement was independent of the EA benefits program, and said termination had to be appealed in accordance with that program's rules and regulations. See Initial Decision at 2-3; see also Exhibits R-9 through R-12. Based on the foregoing, the ALJ concluded that Petitioner's appeal of a denial of EA benefits was without merit, and must be dismissed. See Initial Decision at 3. I also agree.

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 AFFIRMED.

Officially approved final version.      MAY 06 2021

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Natasha Johnson  
Assistant Commissioner





State of New Jersey

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Assistant Commissioner

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STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 00075-21 L.C.

AGENCY DKT. NO. S618870012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits, contending that she was ineligible for EA benefits because she was not a Work First New Jersey ("WFNJ"), nor a Supplemental Security Income ("SSI") benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 16, 2021, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record was held open until February 23, 2021, to allow both parties to submit additional documentation. On March 8, 2021, the record was reopened when Petitioner submitted additional documents, and the record then closed on that date.

On March 22, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, Petitioner is appealing the Agency's termination of EA benefits by notice dated September 24, 2020, with the effective date of termination being November 11, 2020. See Initial Decision at 2; see also Exhibit R-6, and N.J.A.C. 10:90-6.2(a). However, the ALJ found that this matter had been previously addressed by a Final Agency Decision issued on December 31, 2020, wherein the Division of Family Development ("DFD") had concluded that Petitioner was ineligible for EA benefits because she was no longer a WFNJ benefits recipient, and she was not an SSI benefits recipient, and as such, was binding and could not be relitigated. See Initial Decision at 3-5, 8-9; see also Exhibit OAL-2. Accordingly, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, effective November 11, 2021, was proper and must stand. See Initial Decision at 10; see also Exhibit R-6, and N.J.A.C. 10:90-6.2(a). I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, DFD, 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, if Petitioner's financial circumstances have substantially changed, she may reapply for WFNJ/TANF and EA benefits, if she has not done so already. See Initial Decision at 10. Further,



the Agency is directed to expedite the review of Petitioner's WFNJ/TANF and EA benefits applications, should she reapply.

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

Officially approved final version.      MAY 06 2021

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Natasha Johnson  
Assistant Commissioner





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SARAH ADELMAN  
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TRENTON, NJ 08625-0716

NATASHA JOHNSON  
Assistant Commissioner

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STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 02849-21 T.D.

AGENCY DKT. NO. C028682018 (SOMERSET COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's SNAP benefits because Petitioner's combined household income exceeded the maximum permissible level for receipt of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 13, 2021, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents into evidence. On April 19, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have considered the ALJ's Initial Decision and following an independent review of the record, the ALJ's Initial Decision is hereby ADOPTED and the Agency determination is AFFIRMED, based on the discussion below.

Regulatory authority applicable to SNAP benefits cases, defines income as "all income from whatever source unless such income is specifically excluded." See N.J.A.C. 10:87-5.3. Further, N.J.A.C. 10:87-5.5(a)(2) specifically includes "unemployment compensation" as unearned income which is to be included when determining a household's SNAP eligibility.

In order to determine an applicant's eligibility for SNAP, the applicant's income and resources must be below a certain threshold. N.J.A.C. 10:87-6.16(d)(2), states that households that do not contain an elderly or permanently disabled household member must meet both the gross income test, as well as the net income test, meaning that the respective income amounts must be below the established standards. See also N.J.A.C. 10:87-12.3, -12.4. N.J.A.C. 10:87-6.16(b) further outlines the procedures used to calculate both gross and net income for SNAP benefits purposes, and the applicable benefit levels, if eligible. The regulation provides that the applicant's monthly net income is determined by adding together all earned and unearned income, then subtracting all income exclusions. Then, the standard deduction, based upon the size of the household, is subtracted from the income.



Thereafter, the household is evaluated to determine if a medical deduction is appropriate, which is if the household has medical expenses that exceed \$35.00. If the household is entitled to a medical deduction, then the amount in excess of \$35.00 is subtracted from the applicant's income. Then, the applicant is evaluated for an excess shelter deduction. Such a deduction is permitted when the individual's shelter costs exceed 50% of their net income. If this deduction is allowable, then the difference between the shelter costs and the 50% net income, or up to the maximum allowable amount, is subtracted from the individual's income. The remaining figure is Petitioner's net income for SNAP benefits purposes. This net income is then compared against the maximum allowable net income amount for the household's size, as outlined at N.J.A.C. 10:87-12.3, to determine eligibility. If eligible, the household's monthly SNAP allotment shall be equal to the maximum food stamp allotment for the household's size, reduced by 30 percent of the household's net monthly income. See N.J.A.C. 10:87-12.6(a)(1).

The record in this matter reflects that Petitioner's household is comprised of three people. See Initial Decision at 2. The record further reflects that Petitioner works part-time, and also receives unearned income in the form of partial Unemployment Insurance Benefits ("UIB"). Ibid. Additionally, Petitioner's adult daughter, who resides in the household, does not work and presently receives UIB. Ibid. The calculations sheet from April 12, 2021, shows that, after inclusion of the standard deduction for a household of three people of \$167, and factoring in Petitioner's rent, together with the inclusion of the Heating and Cooling Standard Utility Allowance ("HCSUA") of \$548, the household's net income, for SNAP eligibility purposes, was calculated to be \$2,217.40. See Exhibit R-1 at 3; see also N.J.A.C. 10:87-6.16(b)(8). The maximum allowable net income for a household of three persons is \$1,810, and therefore, Petitioner's household does not meet the net income test for receipt of SNAP benefits. See DFD Instruction 20-09-04 at 12. Based on the foregoing, the ALJ concluded that Petitioner's household net income exceeds the maximum net income level allowable, and therefore, Petitioner is ineligible for SNAP benefits. See Initial Decision at 4. Accordingly, the Agency's termination of Petitioner's SNAP benefits in this matter was proper and must stand. Ibid. I agree.

Accordingly, the Initial Decision in this matter is hereby ADOPTED, and the Agency's determination is AFFIRMED, as outlined above.

MAY 06 2021

Officially approved final version.

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Natasha Johnson  
Assistant Commissioner





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STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 03638-21 D.R.

AGENCY DKT. NO. S628922012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/ General Assistance ("WFNJ/GA") benefits and the imposition of a period of ineligibility for WFNJ/GA benefits from March 1, 2021, through August 1, 2021, and the denial of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency denied Petitioner WFNJ/GA benefits, contending that due to his receipt of a lump sum insurance claim payment, he was ineligible for WFNJ/GA benefits for a period of five months. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 28, 2021 the Honorable David M. Fritch, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On April 29, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were filed by Legal Services on behalf of Petitioner, on April 29, 2021.

As Assistant Commissioner, 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 MODIFY the Agency's determination, based on the discussion below.

N.J.A.C. 10:90-3.18(e), and (e)(2) state that, "[f]or purposes of determining the period of ineligibility, the WFNJ assistance unit and any other individual (such as stepparent) whose lump sum income cause the assistance unit's income to exceed the allowance standard shall be included in such determination. ... In the event the nonrecurring income is not reported timely, the period of ineligibility shall begin at the point the ineligibility would have occurred had the county or municipal agency had knowledge of its receipt. The amount of overpayment for the period of ineligibility must be established and recovery made."

Here, based on an independent review of the record, I find that Petitioner received a lump sum insurance claim payment in the amount of \$3,461.87 in December 2020, which Petitioner had failed to report to the Agency. See Initial Decision at 1, 3; see also Exhibit R-2, and N.J.A.C. 10:90-3.18(b). It appears from the record that Petitioner had been receiving WFNJ/GA benefits at that time. See Initial Decision at 2. However, effective January 1, 2021, the Agency terminated Petitioner's WFNJ/GA benefits and imposed upon him a two-month period of ineligibility for receipt of WFNJ/GA benefits due to a voluntary



quit of employment, which required Petitioner to reapply for WFNJ/GA benefits after that ineligibility period had ended. Id. at 2-3; see also N.J.A.C. 10:90-4.14. Petitioner appealed that termination, but withdrew that appeal and opted to reapply for WFNJ/GA benefits. See Initial Decision at 3. Petitioner then reapplied for WFNJ/GA benefits on March 16, 2021, and at that time, the Agency denied WFNJ/GA benefits to Petitioner and imposed a five-month period of ineligibility for receipt of said benefits running from March 1, 2021, through August 1, 2021, based on his December 2020, receipt of a lump sum insurance claim payment. Ibid. The ALJ agreed with the Agency's determination. Id. at 3-6; see also Exhibits R-1, R-3, and N.J.A.C. 10:90-3.18. However, in relevant part, N.J.A.C. 10:90-3.18(e)(2) is clear that the WFNJ/GA benefits ineligibility period "shall begin at the point the ineligibility would have occurred had the county or municipal agency had knowledge of its receipt," which, in this case, was on December 15, 2020. See Initial Decision at 5; see also Exhibit R-2. Of note, Petitioner is not contesting the Agency's denial of WFNJ/GA benefits or the imposition of an ineligibility period, but contends that the ineligibility period should begin to run from January 1, 2021, not March 1, 2021, as was imposed by the Agency. See Initial Decision at 1-2, 4-5; see also Exhibit R-2, and N.J.A.C. 10:90-3.18(e). Based on the foregoing, I find that the Agency's April 14, 2021, denial of WFNJ/GA benefits to Petitioner was proper, however, based on the plain language of N.J.A.C. 10:90-3.18(e)(2), I find that a five-month ineligibility period for receipt of WFNJ/GA benefits shall be imposed upon Petitioner from January 1, 2021, through June 1, 2021. See Exhibit R-2. Accordingly, the Initial Decision, as well as the Agency's determination, are both modified to reflect this finding.

By way of comment, the transmittal in this matter indicates that Petitioner also appealed a denial of SNAP benefits. However, the record indicates that Petitioner is not contesting the denial of SNAP benefits in the present manner. See Initial Decision at 2 fn. 1. Therefore, Petitioner's SNAP issue is now moot, and not addressed in this Final Agency Decision.

By way of further comment, I have reviewed the Exceptions submitted on behalf of Petitioner, and I find that the arguments made therein do not alter my decision in this matter.

Accordingly, the Initial Decision is hereby MODIFIED, and the Agency's determination is also MODIFIED, as outlined above.

MAY 11 2021

Officially approved final version.

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Natasha Johnson  
Assistant Commissioner





State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716

SARAH ADELMAN  
*Acting Commissioner*

SHEILA Y. OLIVER  
*Lt. Governor*

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 07336-20 B.P.

AGENCY DKT. NO. S575228012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioners, J.R. and B.P., challenge the correctness of the Respondent Agency's claim for recovery of Supplemental Nutrition Assistance Program ("SNAP") benefits issued to Petitioners. The Agency asserts that Petitioners received SNAP benefits to which they were not entitled, resulting in an overissuance of benefits which must be repaid. Because Petitioners appealed, the matter was transmitted to the Office of Administrative Law for a hearing. An Order of Consolidation, consolidating Petitioners' four fair hearing requests, was entered on November 23, 2020. See Initial Decision at 2. A hearing on the four claims was initially scheduled for September 18, 2020, but adjourned. Ibid. The matter was rescheduled, and on October 27, 2020, a telephonic plenary hearing was held before the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"). Ibid. The parties were directed to submit written summations of their respective positions. Ibid. The Agency submitted its written statement on November 2, 2020, and Petitioners submitted their written statement on December 1, 2020. Ibid. A second hearing date was then scheduled for February 5, 2021, but was adjourned at Petitioner J.R.'s request. Ibid. The hearing was then rescheduled for a peremptory date of February 26, 2021. Ibid. On February 25, 2021, J.R. advised the ALJ that Petitioner B.P. was unavailable the next day for the hearing due to a 20-day hospitalization. Ibid. The hearing was adjourned, but with the stipulation that Petitioner B.P. provide medical documentation of his inability to participate in the hearing. Ibid. On March 10, 2021, no medical documentation having been forthcoming, a directive was given to Petitioners to provide same no later than March 29, 2021, or their respective requests for fair hearings on the four claims would be dismissed for lack of prosecution. See Initial Decision at 2-3. On April 5, 2021, with no medical documentation having been provided, the ALJ issued an Initial Decision, finding that Petitioners had abandoned their appeals, and therefore ordering that said appeals be dismissed.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision, and I hereby ADOPT the ALJ's Initial Decision, dismissing Petitioners' appeals, and AFFIRM the Agency's overissuance claims.





Based on the foregoing, I ORDER and direct the Agency to proceed to recoup the overissuances. Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determinations are AFFIRMED.

Officially approved final version. MAY 11 2021

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Natasha Johnson  
Assistant Commissioner





State of New Jersey

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NATASHA JOHNSON  
*Assistant Commissioner*

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STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 07343-20 B.P.

AGENCY DKT. NO. S611958012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioners, J.R. and B.P., challenge the correctness of the Respondent Agency's claim for recovery of Supplemental Nutrition Assistance Program ("SNAP") benefits issued to Petitioners. The Agency asserts that Petitioners received SNAP benefits to which they were not entitled, resulting in an overissuance of benefits which must be repaid. Because Petitioners appealed, the matter was transmitted to the Office of Administrative Law for a hearing. An Order of Consolidation, consolidating Petitioners' four fair hearing requests, was entered on November 23, 2020. See Initial Decision at 2. A hearing on the four claims was initially scheduled for September 18, 2020, but adjourned. Ibid. The matter was rescheduled, and on October 27, 2020, a telephonic plenary hearing was held before the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"). Ibid. The parties were directed to submit written summations of their respective positions. Ibid. The Agency submitted its written statement on November 2, 2020, and Petitioners submitted their written statement on December 1, 2020. Ibid. A second hearing date was then scheduled for February 5, 2021, but was adjourned at Petitioner J.R.'s request. Ibid. The hearing was then rescheduled for a peremptory date of February 26, 2021. Ibid. On February 25, 2021, J.R. advised the ALJ that Petitioner B.P. was unavailable the next day for the hearing due to a 20-day hospitalization. Ibid. The hearing was adjourned, but with the stipulation that Petitioner B.P. provide medical documentation of his inability to participate in the hearing. Ibid. On March 10, 2021, no medical documentation having been forthcoming, a directive was given to Petitioners to provide same no later than March 29, 2021, or their respective requests for fair hearings on the four claims would be dismissed for lack of prosecution. See Initial Decision at 2-3. On April 5, 2021, with no medical documentation having been provided, the ALJ issued an Initial Decision, finding that Petitioners had abandoned their appeals, and therefore ordering that said appeals be dismissed.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision, and I hereby ADOPT the ALJ's Initial Decision, dismissing Petitioners' appeals, and AFFIRM the Agency's overissuance claims.



Based on the foregoing, I ORDER and direct the Agency to proceed to recoup the overissuances.  
Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determinations are AFFIRMED.

Officially approved final version.

MAY 11 2021

---

Natasha Johnson  
Assistant Commissioner





State of New Jersey

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NATASHA JOHNSON  
Assistant Commissioner

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STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 7345-20 J.R.

AGENCY DKT. NO. S611958012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioners, J.R. and B.P., challenge the correctness of the Respondent Agency's claim for recovery of Supplemental Nutrition Assistance Program ("SNAP") benefits issued to Petitioners. The Agency asserts that Petitioners received SNAP benefits to which they were not entitled, resulting in an overissuance of benefits which must be repaid. Because Petitioners appealed, the matter was transmitted to the Office of Administrative Law for a hearing. An Order of Consolidation, consolidating Petitioners' four fair hearing requests, was entered on November 23, 2020. See Initial Decision at 2. A hearing on the four claims was initially scheduled for September 18, 2020, but adjourned. Ibid. The matter was rescheduled, and on October 27, 2020, a telephonic plenary hearing was held before the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"). Ibid. The parties were directed to submit written summations of their respective positions. Ibid. The Agency submitted its written statement on November 2, 2020, and Petitioners submitted their written statement on December 1, 2020. Ibid. A second hearing date was then scheduled for February 5, 2021, but was adjourned at Petitioner J.R.'s request. Ibid. The hearing was then rescheduled for a peremptory date of February 26, 2021. Ibid. On February 25, 2021, J.R. advised the ALJ that Petitioner B.P. was unavailable the next day for the hearing due to a 20-day hospitalization. Ibid. The hearing was adjourned, but with the stipulation that Petitioner B.P. provide medical documentation of his inability to participate in the hearing. Ibid. On March 10, 2021, no medical documentation having been forthcoming, a directive was given to Petitioners to provide same no later than March 29, 2021, or their respective requests for fair hearings on the four claims would be dismissed for lack of prosecution. See Initial Decision at 2-3. On April 5, 2021, with no medical documentation having been provided, the ALJ issued an Initial Decision, finding that Petitioners had abandoned their appeals, and therefore ordering that said appeals be dismissed.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision, and I hereby ADOPT the ALJ's Initial Decision, dismissing Petitioners' appeals, and AFFIRM the Agency's overissuance claims.



Based on the foregoing, I ORDER and direct the Agency to proceed to recoup the overissuances. Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determinations are AFFIRMED.

Officially approved final version.

MAY 11 2021

---

Natasha Johnson  
Assistant Commissioner





State of New Jersey

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STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW **07344-20 J.R.**

AGENCY DKT. NO. **S575228012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioners, J.R. and B.P., challenge the correctness of the Respondent Agency's claim for recovery of Supplemental Nutrition Assistance Program ("SNAP") benefits issued to Petitioners. The Agency asserts that Petitioners received SNAP benefits to which they were not entitled, resulting in an overissuance of benefits which must be repaid. Because Petitioners appealed, the matter was transmitted to the Office of Administrative Law for a hearing. An Order of Consolidation, consolidating Petitioners' four fair hearing requests, was entered on November 23, 2020. See Initial Decision at 2. A hearing on the four claims was initially scheduled for September 18, 2020, but adjourned. Ibid. The matter was rescheduled, and on October 27, 2020, a telephonic plenary hearing was held before the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"). Ibid. The parties were directed to submit written summations of their respective positions. Ibid. The Agency submitted its written statement on November 2, 2020, and Petitioners submitted their written statement on December 1, 2020. Ibid. A second hearing date was then scheduled for February 5, 2021, but was adjourned at Petitioner J.R.'s request. Ibid. The hearing was then rescheduled for a peremptory date of February 26, 2021. Ibid. On February 25, 2021, J.R. advised the ALJ that Petitioner B.P. was unavailable the next day for the hearing due to a 20-day hospitalization. Ibid. The hearing was adjourned, but with the stipulation that Petitioner B.P. provide medical documentation of his inability to participate in the hearing. Ibid. On March 10, 2021, no medical documentation having been forthcoming, a directive was given to Petitioners to provide same no later than March 29, 2021, or their respective requests for fair hearings on the four claims would be dismissed for lack of prosecution. See Initial Decision at 2-3. On April 5, 2021, with no medical documentation having been provided, the ALJ issued an Initial Decision, finding that Petitioners had abandoned their appeals, and therefore ordering that said appeals be dismissed.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision, and I hereby ADOPT the ALJ's Initial Decision, dismissing Petitioners' appeals, and AFFIRM the Agency's overissuance claims.



Based on the foregoing, I ORDER and direct the Agency to proceed to recoup the overissuances.  
Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determinations are AFFIRMED.

Officially approved final version.

MAY 11 2021

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Natasha Johnson  
Assistant Commissioner





State of New Jersey

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NATASHA JOHNSON  
Assistant Commissioner

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STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 01107-21 C.A.

AGENCY DKT. NO. C147095015 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner challenges the correctness of an overissuance of Supplemental Nutrition Assistance Program ("SNAP") benefits. Respondent Agency asserts that Petitioner received SNAP benefits to which he was not entitled as the result of an Agency Error, and that the overissuance must be repaid. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. The matter was initially scheduled for a hearing on March 3, 2021, but was adjourned. On March 30, 2021, the Honorable Joan M. Burke, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents into evidence. The record was held open for Petitioner to submit any other pertinent information, including corroboration of the date he became ill. Petitioner did not submit any additional documentation, and the record then closed on April 14, 2021. On April 21, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were filed.

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 hereby ADOPT the ALJ's Initial Decision and AFFIRM the Agency action.

SNAP is designed to promote the general welfare and to safeguard the health and well-being of the population by raising the levels of nutrition among low-income households. See N.J.A.C. 10:87- 1.1(a). In the instance of an overpayment of benefits, the Agency must recoup the overissuance. See N.J.A.C. 10:87-11.20. One type of overpayment which is subject to recoupment is one which is caused by an action of the Agency itself, called an Agency Error ("AE"). N.J.A.C. 10:87-11.20(e)(3). Repayment of overissuances may be sought for up to six years following the time that the Agency becomes aware of the overpayment. See N.J.A.C. 10:87-11.20(f)(1)(i).

Here, the ALJ found that the Agency had met its burden in establishing, by a preponderance of the credible evidence, that Petitioner received an overissuance of SNAP benefits to which he was not entitled. See Initial Decision at 3, 5. Specifically, due to an AE, the Agency did not include Petitioner's spouse, L.A., and her earned income, in its calculation of Petitioner's SNAP benefits allotment amount,





which resulted in an overissuance of SNAP benefits to Petitioner in the amount of \$2,456, from June, 2019, through June, 2020. Id. at 3, 7; see also Exhibit R-8, and N.J.A.C. 10:87-5.2(a)(1), -5.5(a)(1), -9.5. Petitioner maintains that he and L.A. are separated, and that during the period of the alleged overpayment, L.A. only stayed with him for approximately three weeks. See Initial Decision at 3, 6. L.A. avers in a letter that Petitioner lives in her home, and pays half the mortgage and the electric bill. Ibid.; see also Exhibit R-4. The ALJ found that Petitioner and L.A. resided at the same address, and that there is no evidence of a legally binding separation agreement. See Initial Decision at 6, 7; see also Exhibit R-9.

Based on the record presented, the ALJ concluded that Petitioner was overissued SNAP benefits to which he was not entitled during the time period claimed, and as such, the Agency's demand to repay the overissuance, was appropriate. See Initial Decision at 7; see also Exhibit R-8, and N.J.A.C. 10:87-11.20(b), (e)(3). I agree.

Further, I find that an AE cannot result in a windfall to Petitioner, as receipt of an overissuance of SNAP benefits is money that Petitioner received, to which he was not entitled, and therefore, must be repaid. See Initial Decision at 7; see also N.J.A.C. 10:87-11.20(b). As such, I direct that the Agency proceed to recoup the overissuance.

I ORDER and direct that the Agency proceed to recoup the overissuance.

Accordingly, the Initial Decision in this matter is ADOPTED, and the Agency's determination is AFFIRMED.

Officially approved final version. MAY 11 2021

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Natasha Johnson  
Assistant Commissioner





State of New Jersey

PHILIP D. MURPHY  
Governor

DEPARTMENT OF HUMAN SERVICES  
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TRENTON, NJ 08625-0716

NATASHA JOHNSON  
Assistant Commissioner

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STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 00978-21 E.C.

AGENCY DKT. NO. C033065005 (CAPE MAY COUNTY WELFARE BOARD)

Petitioner Agency ("Agency") seeks a finding that Respondent committed an intentional program violation ("IPV") of the Supplemental Nutrition Assistance Program ("SNAP"). The Agency asserts that Respondent failed to accurately report household income, and household composition, thus causing Respondent to receive an overissuance of benefits to which she was not entitled. Respondent was properly noticed of the Administrative Disqualification Hearing, initially scheduled for February 18, 2021, the charges against her, and the proposed disqualification penalty, via certified mail, return receipt requested, on November 30, 2020. See Exhibit P-1 at 57-58, 61, 62. Because Respondent failed to timely execute and return the waiver of her right to a hearing, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing as a contested case. *Id.* at 59-60. On February 16, 2021, the Agency advised that it was unable to participate in the hearing due to its representative being hospitalized. See Initial Decision at 2. The matter was rescheduled for April 1, 2021, and Respondent was personally served notice of the rescheduled hearing date. *Ibid.* On April 1, 2021, the Honorable Dorothy Incarvito-Garrabrant, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents, and the record then closed. Respondent did not call in for the hearing, and the matter proceeded *ex parte*, which is permissible pursuant to our regulatory scheme. See N.J.A.C. 1:10-14.1(d). Respondent was given ten days to present good cause for her failure to appear, but did not contact OAL. On April 19, 2021, the Agency advised the OAL that it did not need to supplement the calculations at issue, which were presented during the hearing.

On April 21, 2021, the ALJ issued an Initial Decision, which found that the Agency had met its burden in establishing, by clear and convincing evidence, that Respondent had deliberately and intentionally withheld information from the Agency, which resulted in Respondent receiving an overissuance of SNAP benefits to which she was not entitled. See Initial Decision at 12. Specifically, the ALJ found that Respondent had failed to report that her minor children were removed from her home on January 18, 2019, and no longer resided with Respondent, and that she had knowingly concealed and did not report her spouse's earned income, which resulted in an overissuance of SNAP benefits to Respondent in the amount of \$4,679 for the period of February, 2019, through October, 2020. *Id.* at 6, 7, 8, 9; see also Exhibit P-1 at 1, 3, 15-20, 113, 114, 115-120, 123-126, and N.J.A.C. 10:87-2.2(a), -5.2(a)(1), -9.5.



As this was the first IPV committed by Respondent, the ALJ ordered the mandatory regulatory penalty of a 12-month disqualification from receipt of SNAP benefits pursuant to N.J.A.C. 10:87-11.2(a)(1). See Initial Decision at 12.

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the Initial Decision in this matter, and following an independent evaluation of the record, I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter.

Accordingly, based upon the foregoing, I hereby ADOPT the Initial Decision in this matter, and ORDER that Respondent is disqualified from receipt of SNAP benefits for a period of 12 months. I further ORDER that the Agency is to recoup the overissuance.

Officially approved final version.

MAY 11 2021

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Natasha Johnson  
Assistant Commissioner





State of New Jersey

PHILIP D. MURPHY  
*Governor*

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*Acting Commissioner*

SHEILA Y. OLIVER  
*Lt. Governor*

NATASHA JOHNSON  
*Assistant Commissioner*

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STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 03639-21 A.B.

AGENCY DKT. NO. C400917020 (UNION COUNTY DIVISION OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA"), and Emergency Assistance ("EA"), benefits. The Agency denied Petitioner WFNJ/GA benefits because he has exhausted the 60-month lifetime limit for said benefits, and denied Petitioner EA benefits because he was not a WFNJ, nor a Supplemental Security Income ("SSI"), benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 26, 2021, the Honorable John P. Scollo, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On April 28, 2021, the ALJ issued an Initial Decision, affirming the Agency's determinations.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determinations.

Pursuant to N.J.A.C. 10:90-2.3(a), "eligibility for cash assistance benefits shall be limited to a lifetime total of 60 cumulative months for an adult individual recipient." See also N.J.A.C. 10:90-1.1(d) ("Assistance benefits provided under WFNJ are time-limited and considered a temporary cash subsidy[.]"). However, an individual may receive additional months of cash assistance if he/she qualifies for an exemption from, or extension of, the time limit, as set forth at N.J.A.C. 10:90-2.4 and -2.5 respectively. The goal of WFNJ is help the recipient achieve self-sufficiency through obtaining employment and removal from the program. See N.J.S.A. 44:10-62(a).

Only WFNJ and SSI benefit recipients are eligible for EA benefits. See N.J.A.C. 10:90-6.2(a).

The record in this matter clearly shows that Petitioner has exceeded the 60-month lifetime limit for receipt of WFNJ benefits, and no evidence has been presented that Petitioner would qualify for an exemption from, or extension of, that lifetime limit. See Initial Decision at 2 3; see also Exhibit R-2 and N.J.A.C. 10:90-2.4, -2.5. Based on the foregoing, the ALJ in this matter found that the Agency appropriately denied Petitioner WFNJ benefits. See Initial Decision at 2. I agree. Furthermore, the ALJ



concluded that, as Petitioner was not a WFNJ, nor an SSI, benefits recipient, Petitioner was ineligible for EA benefits. See Initial Decision at 4; see also Exhibit R-1 at 3. I also agree.

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

Officially approved final version.

MAY 13 2021

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Natasha Johnson

Assistant Commissioner





State of New Jersey

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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 03466-21 J.B.

AGENCY DKT. NO. C389280007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA"), and Emergency Assistance ("EA") benefits. The Agency denied Petitioner WFNJ/GA benefits, contending that she had failed provide required documentation in a timely manner, and denied Petitioner EA benefits because she was not a WFNJ, nor a Supplemental Security Income ("SSI"), benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 3, 2021, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

Also on May 3, 2021, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, Petitioner applied for WFNJ/GA benefits on December 19, 2020, and was required to provide documentation needed to determine WFNJ/GA benefits eligibility by February 8, 2021. See "Notice of Verification," and "Application and Affidavit for Work First New Jersey;" see also N.J.A.C. 10:90-2.2(a) (5). The Agency claimed that Petitioner had failed to provide the required documentation, and consequently, by notice dated March 15, 2021, denied WFNJ/GA benefits to Petitioner, and as a result, Petitioner was also ineligible for EA benefits. See Initial Decision at 3; see also "Notification Form," and N.J.A.C. 10:90-2.2(a)(5), -6.2(a). However, the ALJ found Petitioner credible when she testified that she had dropped off all required documentation in the Agency drop box, which was located outside of the Agency office, as advised by the Agency, because the office was closed to the public due to COVID-19. See Initial Decision at 3. The record also reflects that the Agency had admitted that it does not scan drop box documents into its computer data base, so there was no way of confirming if Petitioner's documents were received and placed in her physical file. Ibid. Further, Petitioner testified that the Agency had advised her that due to understaffing it was still working on December 2020, EA applications in March 2021. Ibid. Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/GA and EA benefits to Petitioner was improper and must be reversed. Ibid.; see also "Notification Form." I agree. Additionally, the ALJ ordered the Agency to provide Petitioner with immediate need WFNJ/GA benefits, and immediate need EA benefits for an additional 60 days, giving time for new WFNJ/GA and EA benefits applications to be processed. See Initial Decision at 4. I also agree.

No Exceptions to the Initial Decision were received.



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BARA003

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.

MAY 13 2021

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Natasha Johnson

Assistant Commissioner





State of New Jersey

PHILIP D. MURPHY  
Governor

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716  
TRENTON, NJ 08625-0716

SARAH ADELMAN  
Acting Commissioner

SHEILA Y. OLIVER  
Lt. Governor

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 01624-21 A.K.

AGENCY DKT. NO. C068876002 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits, contending that he had failed to pay his required portion of motel costs, and violated motel rules. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 11, 2021, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On March 19, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination.

This office has been advised that the Agency is rescinding its termination of Petitioner's EA benefits. Therefore, as Assistant Commissioner, Division of Family Development, Department of Human Services, I hereby ORDER and DIRECT the Agency to provide Petitioner with EA benefits, so long as he continues to remain eligible for same. Further, I find that this matter has now been rendered moot, and therefore, DISMISS Petitioner's appeal.

Accordingly, Petitioner's appeal now being deemed moot, the matter is hereby DISMISSED.

Officially approved final version.

MAY 13 2021

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Natasha Johnson  
Assistant Commissioner







State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
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SARAH ADELMAN  
*Acting Commissioner*

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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 02152-21 Y.G.

AGENCY DKT. NO. C243515009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's reduction of her Supplemental Nutritional Assistance Program ("SNAP") benefits allotment amount, on recertification. Petitioner's SNAP benefits allotment amount was reduced at recertification, due to the household now containing an ineligible college student. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 14, 2021, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing and took testimony. No documents were entered into evidence by either party.

On April 16, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reveals that, at the time of Petitioner's recertification for SNAP benefits, it was determined that Petitioner's 18 year old son, who still resides with Petitioner, was a full-time college student who was not working. See Initial Decision at 2. These facts were not disputed by Petitioner. *Ibid.* In accordance with regulatory authority, applicable to full-time college students, Petitioner's son no longer qualified for SNAP benefits, thus reducing the SNAP household from two persons, to one person, and resulting in a reduction of Petitioner's SNAP benefits allotment amount. *Ibid.*; see also N.J.A.C. 10:87-3.14 and Division of Family Development Instruction ("DFDI") no. 19-01-06. Based on the foregoing, the ALJ in this matter concluded that the Agency's reduction of Petitioner's SNAP benefits allotment amount was proper and must stand. See Initial Decision at 2-3. I agree.

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 AFFIRMED.



Officially approved final version.

MAY 13 2021

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Natasha Johnson  
Assistant Commissioner





State of New Jersey

PHILIP D. MURPHY  
Governor

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DIVISION OF FAMILY DEVELOPMENT  
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TRENTON, NJ 08625-0716

NATASHA JOHNSON  
Assistant Commissioner

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STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 854-21 K.Q.

AGENCY DKT. NO. S500083012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial Emergency Assistance ("EA") benefits in the form of back rent, and denied Petitioner an extension of EA benefits. The Agency denied Petitioner EA benefits, and denied her an extension of EA benefits, contending that Petitioner's income exceeded her housing costs, and as such, she had sufficient income to pay her rent. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. An initial telephonic hearing was scheduled for March 9, 2021, but was adjourned because Petitioner had not received or reviewed the Respondent's hearing packet. On March 16, 2021, the Honorable Tama B. Hughes, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On March 30, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects, and Petitioner acknowledged, that her monthly income is \$1,220.36, and her monthly rent is \$963. See Initial Decision at 2, 4, 6; see also Exhibits R-5, R-6, R-11, R-18. Petitioner also receives Supplemental Nutrition Assistance Program ("SNAP") benefits, and had received utility payment assistance in October 2020. See Initial Decision at 2-4, 6; see also Exhibits R-15, R-16. The record also reflects that the Agency had taken into consideration Petitioner's monthly utility payments in reaching its determination. See Initial Decision at 3; see also Exhibit R-16. Nevertheless, Petitioner contended that she did not have sufficient income to pay her rent for the months of July 2020, through October 2020. *Id.* at 3-5; see also Exhibit R-10. However, the ALJ found that Petitioner had failed to provide documentation evidencing that she was unable to pay her rent due having been spent her funds on items deemed appropriate, necessary, or reasonable for decent living, as required for EA benefits eligibility in this case. See Initial Decision at 6-8; see also Exhibits R-9, R-17, R-19, and N.J.A.C. 10:90-6.1(c)(1)(ii). Based on the foregoing, the ALJ found that Petitioner had sufficient income to pay her July 2020, through October 2020, but failed to do so, and that she has sufficient income to pay her rent going forward. See Initial Decision at 7-9. Accordingly, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand, and consequently, because Petitioner had exhausted her EA benefits and was found ineligible for EA benefits, she was also ineligible for an extension of EA benefits. *Id.* at 9; see also Exhibits R-1, R-7, R-8, R-12, R-13, 19, and N.J.A.C. 10:90-6.1(a)(1), -6.1(c)(1)(ii), -6.4(a). I agree.



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 AFFIRMED.

Officially approved final version.

MAY 18 2021

---

Natasha Johnson  
Assistant Commissioner





State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT

SARAH ADELMAN  
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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 03209-21 A.Z.

AGENCY DKT. NO. C144523016 (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") and Supplemental Nutrition Assistance Program ("SNAP") benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 3, 2021, the Honorable Jude-Anthony Tiscornia, Administrative Law Judge ("ALJ"), held a pre-hearing conference with the parties. At that time, Petitioner confirmed that she is, in fact, currently receiving SNAP benefits and has been since February 2021. See Initial Decision at 2. The ALJ then convened a telephonic plenary hearing, during which, Petitioner indicated that she did not wish to pursue her appeal of the Agency's WFNJ/TANF denial. Ibid. Petitioner further stated that, as she was currently receiving SNAP benefits, she was only pursuing retroactive SNAP benefits for the months of December, 2020, and January, 2021. Ibid. Not long after the hearing began, Petitioner became irate, yelling at the Agency's representative, uttering expletives and then abruptly hanging up from the telephonic hearing. Ibid. On May 6, 2021, the ALJ issued an Initial Decision, finding that Petitioner had abandoned her appeal, and thereby dismissing Petitioner's appeal.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, as I find that Petitioner abandoned her appeal in this matter and, therefore, I affirm the Agency's denial of WFNJ/TANF benefits, and further deny Petitioner's request seeking retroactive SNAP benefits.

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



Officially approved final version.

MAY 10 2021

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Natasha Johnson  
Assistant Commissioner





State of New Jersey

PHILIP D. MURPHY  
Governor

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT

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NATASHA JOHNSON  
Assistant Commissioner

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STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 03989-21 J.F.

AGENCY DKT. NO. C166755015 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that he refused appropriate housing. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 10, 2021, the Honorable Joan M. Burke, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On May 11, 2021, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record reflects that Petitioner applied for EA benefits, and that based on Agency case notes from January, 2021, the Agency determined that the appropriate form of housing for Petitioner was in a residential facility, rather than a motel placement, and on that basis, denied Petitioner EA benefits by notice dated April 20, 2021. See Initial Decision at 5; see also Exhibits R-1, R-7. However, the ALJ noted that there was no evidence to indicate that an appropriate residential facility had been identified, or that Petitioner had refused same. See Initial Decision at 7. Moreover, the ALJ found, and the record clearly substantiates, that Petitioner is receiving treatment for his mental health issues, is compliant with same, that he is capable of living independently, and that, given Petitioner's mental health concerns, it would be better for him to live independently in a motel placement, rather than a group or boarding home setting. See Initial Decision at 5-6, 8; see also Exhibits P-6 through P-9. Based on the foregoing, the ALJ found that the Agency's determination to deny Petitioner's EA benefits was not proper and must be reversed. See Initial Decision at 9. I agree. Further, given Petitioner's mental health professionals' recommendations, and taking his mental health issues into consideration, a motel placement should be explored and strongly considered, so as to allow Petitioner to function independently. *Ibid.*; see also N.J.A.C. 10:90-6.3(a)(1). I also agree.

No Exceptions to the Initial Decision were filed.

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. MAY 18 2021

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Natasha Johnson  
Assistant Commissioner







State of New Jersey

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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 03054-21 T.L.

AGENCY DKT. NO. C161654003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's reduction, as well as the subsequent termination, of her Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency reduced Petitioner's SNAP benefits allotment due to an increase in the household's total income. Thereafter, Petitioner's SNAP benefits were terminated after a change in the household's size, resulting in the household's monthly unearned income exceeding the maximum permissible level for receipt of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 26, 2021, the Honorable Joan M. Burke, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents into evidence. On May 11, 2021, the ALJ issued an Initial Decision, affirming both the reduction of Petitioner's SNAP benefits allotment and the subsequent termination of Petitioner's SNAP benefits.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have considered the ALJ's Initial Decision and following an independent review of the record, the ALJ's Initial Decision is hereby MODIFIED, and the Agency's determinations are AFFIRMED, based on the discussion below.

SNAP is designed to promote the general welfare and to safeguard the health and well-being of the population by raising the levels of nutrition among low-income households. See N.J.A.C. 10:87- 1.1(a).

Regulatory authority applicable to SNAP benefit cases, defines income as "all income from whatever source unless such income is specifically excluded." See N.J.A.C. 10:87-5.3. Additionally, for SNAP benefits cases, unearned income includes survivors, disability, and Social Security benefits for both adults and children in the household, as well as child support or alimony payments made directly to the household from nonhousehold members. See N.J.A.C. 10:87-5.5(a)(2), (5).

In accordance with N.J.A.C. 10:87-6.16(b)(1), households which contain an elderly or permanently disabled individual, as defined by N.J.A.C. 10:87-2.34, must meet the net income test for SNAP



eligibility. N.J.A.C. 10:87-6.16(d)(2), states that households that do not contain an elderly or permanently disabled household member must meet both the gross income test, as well as the net income test, meaning that the respective income amounts must be below the established standards. See also N.J.A.C. 10:87-12.3, -12.4.

Here, the record reflects that, at the time of Petitioner's recertification for SNAP benefits in December, 2020, Petitioner's household had unearned income in form of monthly Retirement, Survivors and Disability Insurance ("RSDI") benefits for both Petitioner and her daughter, in the amounts of \$1,105 and \$552 respectively, Supplemental Security Income ("SSI") benefits in the amount of \$5 for her daughter, as well as combined child support payments in the amount of \$644, for a total household gross income of \$2306. See Initial Decision at 5; see also Exhibits R-B, R-M. After applying the applicable deductions, including the Heating and Cooling Standard Utility Allowance ("HCSUA"), the household's SNAP net income was calculated to be \$1,097.50. See Initial Decision at 6; see also Exhibit R-B. Utilizing this net income amount, for a household of two persons, the SNAP benefits allotment is calculated to be \$44. See Initial Decision at 6; see also N.J.A.C. 10:87-12.6. Based on the foregoing, the ALJ concluded that the Agency's had correctly reduced Petitioner's SNAP benefits in December, 2020, at the time of recertification and as such, Agency's determination was proper and must stand. See Initial Decision 6, 8; see also Exhibit R-B. I agree.

With respect to the Agency's termination of Petitioner's SNAP benefits, it should be noted that none of the calculations, with respect to the household's gross income, and the household's net SNAP income, changed. See Exhibit R-B. Rather, due to Petitioner's permanent disqualification from receipt of SNAP benefits, which occurred in 2010, the household size was reduced from a household of two persons, to one person. See Initial Decision at 4, 6-7; see also Exhibit R-G. Because Petitioner's household contains an individual who receives SSI benefits, and that individual is thus considered permanently disabled, only the net income test for SNAP benefits eligibility must be met, and not the gross income test, as stated in the Initial Decision. See N.J.A.C. 10:87-2.34(a)(2), -6.16(b)(1); see also Exhibits R-B, R-J and Initial Decision at 7-8. The maximum net income level for SNAP eligibility for a household of two is \$1,437, and for a household of one is \$1,064. See DFDI Instruction ("DFDI") 20-09-04 at 12. Thus, it is clear that, while Petitioner's household was eligible for SNAP benefits when it was comprised of two persons, because it was under the maximum net income amount of \$1,437 for a household of two persons, it is over the maximum net income amount of \$1,064 for a household of one person, and therefore, Petitioner is no longer eligible for SNAP benefits. Ibid. Accordingly, the Agency's termination of Petitioner's SNAP benefits was proper and must stand. See Exhibit R-A. The Initial Decision in this matter is modified to reflect the above analysis and findings.

By way of comment, it should be noted that the income level charts, placed into the record in this matter, are outdated. See Exhibit R-L. The gross and net income levels, as well as other amounts utilized in the SNAP benefits calculations, are updated every year, effective October 1<sup>st</sup>, with the current amounts being shown in DFDI 20-09-04.

Accordingly, the Initial Decision in this matter is hereby MODIFIED, the Agency's determinations are AFFIRMED, as outlined above.

Officially approved final version.

**MAY 20 2021**

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Natasha Johnson  
Assistant Commissioner





State of New Jersey

PHILIP D. MURPHY  
Governor

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SARAH ADELMAN  
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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 01311-21 T.W.

AGENCY DKT. NO. C070776015 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of her Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits, and the reduction of Petitioner's Supplemental Nutrition Assistance Program ("SNAP") benefits. Petitioner's WFNJ/TANF benefits were terminated, and her SNAP benefits reduced, due to the household's increase in unearned income. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for March 16, 2021, and adjourned. The matter was rescheduled for April 20, 2021, and also adjourned. The case was again rescheduled, and on May 11, 2021, the Honorable Dean J. Buono, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On May 13, 2021, the ALJ issued an Initial Decision, affirming the Agency's determinations.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determinations, based on the discussion below.

Pursuant to N.J.A.C. 10:90-3.1(c), once initial financial eligibility for WFNJ/TANF is found to exist, financial eligibility continues to exist so long as the assistance unit's ("AU") total countable income (with benefit of the appropriate disregards at N.J.A.C. 10:90-3.8 for earned income) is less than the maximum benefit payment level allowable for the size of the assistance unit, in accordance with Schedule II at N.J.A.C. 10:90-3.3(b). For an assistance unit of 4, the maximum allowable benefit level is \$644. See N.J.A.C. 10:90-3.3(b); see also DFD Informational Transmittal ("IT") 19-21.

Regulatory authority, applicable to SNAP benefit cases, defines income as "all income from whatever source unless such income is specifically excluded." See N.J.A.C. 10:87-5.3.

Here, the record shows that Petitioner originally applied for WFNJ/TANF and SNAP benefits in December, 2020. See Initial Decision at 2; see also Exhibit R-4. Thereafter, at the time of redetermination for WFNJ/TANF benefits, and recertification for SNAP benefits, in February 2021,



the Agency determined that Petitioner had been receiving weekly Unemployment Insurance Benefits ("UIB") in the amount \$231, or \$1,001 monthly, since July 6, 2020, and based upon that unearned income, Petitioner was no longer ineligible for WFNJ/TANF benefits. See Initial Decision at 2; see also N.J.A.C. 10:90-3.3(a) and DFD IT 19-21. While Petitioner asserted that she had not received UIB, the record substantiates the Agency's position that she had. See Initial Decision at 3, 4-5; see also Exhibit R-5. Moreover, it is clear from the record that Petitioner was also receiving monthly Supplemental Security Income ("SSI") benefits on behalf of one of her children, which also must be included in determining eligibility for WFNJ/TANF and SNAP benefits, and which was not reported on her application for WFNJ and SNAP benefits. See Exhibits R-4 and R-12. Based on the foregoing, the ALJ concluded that, based upon the total household income from both UIB and SSI, the Agency's termination of Petitioner's WFNJ/TANF benefits was proper and must stand. See Initial Decision at 4, 5. I agree.

With respect to the reduction of Petitioner's SNAP benefits, the ALJ found that, after including the monthly unearned income from UIB and SSI, the Agency had correctly calculated Petitioner's SNAP benefits allotment, resulting in a reduction of said benefits to Petitioner. See Initial Decision at 4, 5; see also N.J.A.C. 10:87-6.16 and Exhibit R-8. I also agree.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determinations are AFFIRMED, as outlined above.

Officially approved final version.

MAY 25 2021

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Natasha Johnson  
Assistant Commissioner





## State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT

SARAH ADELMAN  
*Acting Commissioner*

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PO BOX 716  
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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 01959-21 M.M.

AGENCY DKT. NO. C517490002 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner challenges the correctness of the Respondent Agency's claim for recovery of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency asserts that the assistance unit ("AU") received WFNJ/TANF benefits to which it was not entitled, resulting in an overissuance of benefits which must be repaid. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On March 25, 2021, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. Petitioner's relative acted as translator during the telephonic hearing. On March 29, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the record in this matter and I hereby ADOPT the Initial Decision, and AFFIRM the Agency determination, based on the discussion below.

Under the WFNJ regulations, a recipient is required to satisfy any repayment obligation pursuant to state or Federal law governing public assistance. See N.J.A.C. 10:90-2.2(a)(7). An overpayment of WFNJ benefits, including Emergency Assistance benefits, is subject to recoupment, "regardless of fault, including overpayments caused by administrative action or inaction[.]" See N.J.A.C. 10:90-3.21(a)(1).

Here, the record reflects that in April, 2020, at the time of Petitioner's redetermination application for WFNJ/TANF benefits, the Agency discovered that Petitioner's spouse had earned income in 2019 from his own business. See Initial Decision at 2; see also Exhibits R-1, R-5, R-6, R-7. The Agency then determined that Petitioner had failed to report her spouse's earned income in 2019, and that this unreported income, when combined with Petitioner's reported income in 2019, would have made the AU ineligible for WFNJ/TANF benefits. See Initial Decision at 2; see also Exhibits R-5, R-6, R-8, and N.J.A.C. 10:90-3.2.



The ALJ found that the Agency had met its burden in establishing, by a preponderance of the credible evidence, that Petitioner did not report any household earned income when she applied for WFNJ/TANF benefits, and that the failure to disclose this information to the Agency resulted in an overpayment of WFNJ/TANF benefits. See Initial Decision at 3; see also Exhibit R-2, and N.J.A.C. 10:90-3.2(a). The ALJ concluded that Petitioner received an overissuance of WFNJ/TANF benefits in the amount of \$3,864, for the period beginning March 1, 2019, through March 31, 2020, which must be repaid. See Initial Decision at 3; see also Exhibits R-1, R-2, R-3, and N.J.A.C. 10:90-3.21(a)(1). I agree.

I ORDER and direct the Agency to proceed to recoup the overissuance.

Accordingly, the Initial Decision is hereby ADOPTED and the Agency determination is AFFIRMED, as outlined above.

MAY 25 2021

Officially approved final version.

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Natasha Johnson  
Assistant Commissioner





State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716  
TRENTON, NJ 08625-0716

SARAH ADELMAN  
*Acting Commissioner*

SHEILA Y. OLIVER  
*Lt. Governor*

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 02095-21 S.H.

AGENCY DKT. NO. C134827015 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner challenges the correctness of an overissuance of Supplemental Nutrition Assistance Program ("SNAP") benefits. Respondent Agency asserts that for the period beginning March, 2015, through February, 2019, Petitioner received SNAP benefits to which she was not entitled, and which must be repaid, as the result of a failure to report household unearned income. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 30, 2021, the Honorable Joan M. Burke, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents into evidence. The record remained open to allow for post-hearing submissions, and upon receipt of same, the record then closed on April 13, 2021. On May 3, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were filed.

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 hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency action.

SNAP is designed to promote the general welfare and to safeguard the health and well-being of the population by raising the levels of nutrition among low-income households. See N.J.A.C. 10:87-1.1(a). In the instance of an overpayment of benefits, the Agency must recoup the overissuance. See N.J.A.C. 10:87-11.20. One type of overpayment which is subject to recoupment is one which results from "a misunderstanding or unintended error on the part of the household" receiving benefits, called an "Inadvertent Household Error" ("IHE"). See N.J.A.C. 10:87-11.20(e)(2). Repayment of overissuances may be sought for up to six years following the time that the Agency becomes aware of the overissuance. See N.J.A.C. 10:87-11.20(f)(1)(i).

Here, the ALJ found that the Agency had met its burden in establishing, by a preponderance of the credible evidence, that Petitioner received an overissuance of SNAP benefits to which she was not entitled. See Initial Decision at 5. The ALJ further found that, due to an IHE, Petitioner had failed to report unearned income, specifically, cash withdrawals from Petitioner's investment accounts which



were deposited on a monthly basis, beginning March, 2015, through February, 2019, into Petitioner's checking account, which resulted in an overissuance of SNAP benefits to Petitioner in the amount of \$10,974. Id. at 3, 5, 8, 9; see also Exhibits R-4, R-5, R-6, and N.J.A.C. 10:87-4.3(a)(1), -5.5(a)(9), -9.5.

Based on the record presented, the ALJ in this matter concluded that Petitioner was overissued SNAP benefits to which she was not entitled during the time period claimed, and as such, the Agency is entitled to recoup, and Petitioner must repay, the overissuance of SNAP benefits to which she was not eligible to receive. See Initial Decision at 9; see also N.J.A.C. 10:87-11.20(b), (e)(2). I agree.

I ORDER and direct that the Agency proceed to recoup the overissuance.

Accordingly, the Initial Decision in this matter is ADOPTED, and the Agency's determination is AFFIRMED.

Officially approved final version.

MAY 25 2021

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Natasha Johnson  
Assistant Commissioner







## State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
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SARAH ADELMAN  
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SHEILA Y. OLIVER  
*Lt. Governor*

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

AMENDED DECISION

OAL DKT. NO. HPW 00978-21 E.C.

AGENCY DKT. NO. C033065005 (CAPE MAY COUNTY WELFARE BOARD)

On May 11, 2021, a Final Agency Decision ("FAD") was issued in this matter. This Amended FAD is being issued to correct a factual inaccuracy contained in the procedural history of the case. It should be noted that the revision of the factual error has no impact or bearing on the outcome of this matter, as determined in the previously issued FAD.

Petitioner Agency ("Agency") seeks a finding that Respondent committed an intentional program violation ("IPV") of the Supplemental Nutrition Assistance Program ("SNAP"). The Agency asserts that Respondent failed to accurately report household income, and household composition, thus causing Respondent to receive an overissuance of benefits to which she was not entitled. Respondent was properly noticed of the Administrative Disqualification Hearing, initially scheduled for February 18, 2021, the charges against her, and the proposed disqualification penalty, via certified mail, return receipt requested, on November 30, 2020. See Exhibit P-1 at 57-58, 61, 62. Because Respondent failed to timely execute and return the waiver of her right to a hearing, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing as a contested case. *Id.* at 59-60. On February 16, 2021, the Respondent notified the Agency that she was unable to participate in the hearing due to her being hospitalized; the Agency then advised the OAL of what Respondent had reported, specifically, that she was unable to participate in the February 18, 2021, hearing. See Initial Decision at 2. The matter was rescheduled for April 1, 2021, and Respondent was personally served notice of the rescheduled hearing date. *Ibid.* On April 1, 2021, the Honorable Dorothy Incarvito-Garrabrant, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents, and the record then closed. Respondent did not call in for the hearing, and the matter proceeded *ex parte*, which is permissible pursuant to our regulatory scheme. See N.J.A.C. 1:10-14.1(d). Respondent was given ten days to present good cause for her failure to appear, but did not contact OAL. On April 19, 2021, the Agency advised the OAL that it did not need to supplement the calculations at issue, which were presented during the hearing.

On April 21, 2021, the ALJ issued an Initial Decision, which found that the Agency had met its burden in establishing, by clear and convincing evidence, that Respondent had deliberately and intentionally



withheld information from the Agency, which resulted in Respondent receiving an overissuance of SNAP benefits to which she was not entitled. See Initial Decision at 12. Specifically, the ALJ found that Respondent had failed to report that her minor children were removed from her home on January 18, 2019, and no longer resided with Respondent, and that she had knowingly concealed and did not report her spouse's earned income, which resulted in an overissuance of SNAP benefits to Respondent in the amount of \$4,679 for the period of February, 2019, through October, 2020. Id. at 6, 7, 8, 9; see also Exhibit P-1 at 1, 3, 15-20, 113, 114, 115-120, 123-126, and N.J.A.C. 10:87-2.2(a), -5.2(a)(1), -9.5.

As this was the first IPV committed by Respondent, the ALJ ordered the mandatory regulatory penalty of a 12-month disqualification from receipt of SNAP benefits pursuant to N.J.A.C. 10:87-11.2(a)(1). See Initial Decision at 12.

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the Initial Decision in this matter, and following an independent evaluation of the record, I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter.

Accordingly, based upon the foregoing, I hereby ADOPT the Initial Decision in this matter, and ORDER that Respondent is disqualified from receipt of SNAP benefits for a period of 12 months. I further ORDER that the Agency is to recoup the overissuance.

MAY 25 2021

Officially approved final version.

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Natasha Johnson  
Assistant Commissioner





State of New Jersey

PHILIP D. MURPHY  
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Lt. Governor

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 02316-21 C.B.

AGENCY DKT. NO. C125653003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") and Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's WFNJ/GA benefits because her total monthly income put her over the maximum allowable benefit level for continued receipt of WFNJ/GA benefits, and terminated Petitioner's EA benefits because she was no longer a WFNJ cash benefits recipient, nor a Supplemental Security Income ("SSI") benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 5, 2021, the Honorable Joan M. Burke, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On April 14, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Financial eligibility for Work First New Jersey ("WFNJ") benefits is determined based upon the assistance unit's ("AU") countable income, both earned and unearned, as well as countable resources. See N.J.A.C. 10:90-3.1(a). Pursuant to N.J.A.C. 10:90-3.1(c), once initial financial eligibility for a WFNJ/GA benefits recipient is found to exist, financial eligibility continues to exist so long as the total countable income of the WFNJ/GA AU, with benefit of the appropriate disregards set forth in N.J.A.C. 10:90-3.8 for earned income, if applicable, is less than the maximum benefit payment level for the appropriate eligible AU size in accordance with Schedule IV at N.J.A.C. 10:90-3.5(b). Effective July 1, 2019, the benefit level for an employable WFNJ/GA AU, consisting of one person, is \$185 per month. See N.J.A.C. 10:90-3.5(b); see also DFD Informational Transmittal ("IT") No. 19-21.

Only WFNJ cash assistance recipients and SSI recipients are eligible for EA benefits. See N.J.A.C. 10:90-6.2(a).



Here, the record reflects that Petitioner began receiving WFNJ/GA benefits in January, 2020, and the AU consists solely of Petitioner. See Initial Decision at 2; see also Exhibit R-I. The record further reflects that Petitioner began to receive Retirement, Survivors and Disability Insurance ("RSDI") benefits in December, 2020, for a total household income \$937. See Initial Decision at 2; see also Exhibit R-F. As the AU's monthly RSDI income exceeded the maximum allowable monthly benefit level of \$185 for continued WFNJ/GA benefits eligibility for an employable AU of one, by notice dated January 5, 2021, the Agency terminated Petitioner's WFNJ/GA benefits. See Initial Decision at 2; see also Exhibit R-A, N.J.A.C. 10:90-3.5(b) and DFD IT 19-21. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/GA benefits was proper and must stand. See Initial Decision at 5. I agree.

Additionally, by notice dated February 10, 2021, the Agency terminated Petitioner's EA benefits effective March 10, 2021, because Petitioner was no longer a WFNJ, or SSI, benefits recipient. Id. at 2; see also Exhibit R-B and N.J.A.C. 10:90-6.2(a). Based on the evidence presented, the ALJ further concluded that as the termination of Petitioner's WFNJ/GA benefits was found to be proper, and because Petitioner was no longer a WFNJ/GA benefits recipient, nor an SSI benefits recipient, the Agency's termination of Petitioner's EA benefits was also proper and must stand. See Initial Decision at 5-6; see also N.J.A.C. 10:90-6.2(a). I also agree.

By way of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her current needs, including Social Services for the Homeless.

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

Officially approved final version.

MAY 25 2021

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Natasha Johnson  
Assistant Commissioner





State of New Jersey

PHILIP D. MURPHY  
Governor

DEPARTMENT OF HUMAN SERVICES  
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Acting Commissioner

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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 02530-21 G.E.

AGENCY DKT. NO. C059101017 (SALEM COUNTY BOARD OF SOC. SVCS.)

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 had been convicted for possession and distribution of a controlled dangerous substance ("CDS"), which precludes Petitioner from eligibility for said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 5, 2021, the Honorable Catherine A. Tuohy, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On April 12, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects, and Petitioner admitted, that in 2003, he plead guilty and was incarcerated for possession and distribution of a CDS. See Initial Decision at 2; see also Exhibit R-1 at 11, 15. Based on the foregoing, the ALJ found that regulatory authority prohibits the Agency from granting WFNJ/GA benefits to Petitioner. See Initial Decision at 3; see also N.J.A.C. 10:90-18.6(b)(1)(ii)(3). Accordingly, the ALJ concluded that Petitioner was ineligible for WFNJ/GA benefits, and that the Agency had properly denied Petitioner said benefits. *Ibid.*; see also Exhibit R-1 at 1. I agree.

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 AFFIRMED.

Officially approved final version.

MAY 25 2021

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Natasha Johnson  
Assistant Commissioner





State of New Jersey

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SARAH ADELMAN  
Acting Commissioner

SHEILA Y. OLIVER  
Lt. Governor

NATASHA JOHNSON  
Assistant Commissioner

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STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 21-040186 C.A.

AGENCY DKT. NO. C029393015 (OCEAN COUNTY BOARD OF SOC. SVCS.)

On January 12, 2021, the Division of Family Development, Bureau of Administrative Review and Appeals ("BARA"), received Petitioner's request for an Administrative Review. Petitioner contests the correctness of the Respondent Agency's ("Agency") interception and application of her adult child's Federal Income Tax refund to an outstanding debt that she owed to the Agency. Petitioner contends that her debt was neither past due nor legally enforceable, and therefore should not have been referred for collection.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed this matter, and hereby AFFIRM the Agency's action.

As it relates to the Supplemental Nutrition Assistance Program ("SNAP"), "a household is composed of a group of individuals living together for whom food is purchased in common, and for whom meals are prepared together for home consumption." See N.J.A.C. 10:87-2.2(a)(3). Nonhousehold member status or separate household status shall not be granted to parents and their biological children under the age of 22 who reside together. See N.J.A.C. 10:87-2.2(c)(1)(emphasis added). In addition, "[a]n individual between the ages of 18 and 22 is considered an adult and can be a separate household from those with whom he or she lives if he or she purchases and prepares food separately." See N.J.A.C. 10:87-2.2(c)(2)(i).

Pursuant to applicable regulatory authority, a recipient claim is an amount owed because of benefits that were overpaid. See N.J.A.C. 10:87-11.20(a). Further, each person who was an adult member of the household when an overpayment had occurred, is responsible for paying the claim. See N.J.A.C. 10:87-11.20(d)(1), and 7 U.S.C. 2011 et seq. ("Food and Nutrition Act of 2008").

Additionally, "[a] 60-day notice will be generated advising the client that if she does not contact the [Agency] for payment of the claim by the end of the 60-day period, the claim shall be referred to [the Treasury Offset Program ("TOP").]" See N.J.A.C. 10:87-11.21(a)(1)(iii).



On February 16, 2021, BARA requested that Petitioner provide information necessary to complete an Administrative Review. Thereafter, on February 23, 2021, via electronic mail, BARA requested that the Agency provide information necessary to complete an Administrative Review. The Agency responded on February 24, 2021. On March 30, 2021, Petitioner provided documents responsive to BARA's February 16, 2021, request for same. Petitioner's documents submitted on March 30, 2021, together with the Agency's documents submitted on February 24, 2021, comprise the record for this Administrative Review.

It bears noting that on March 2, 2020, Petitioner contacted BARA to request a Fair Hearing, based on a January 1, 2016, adverse action notice issued by the Agency. On March 9, 2020, BARA denied Petitioner's request for a Fair Hearing, as the request was made outside of the 90-day period to request a Fair Hearing. See N.J.A.C. 10:87-8.5. Petitioner's March 2, 2020, request for a Fair Hearing, and BARA's March 9, 2020, denial of same, have no bearing on the instant matter, specifically, as to whether Petitioner's obligations were past due and legally enforceable.

Based upon an independent review of the record, I find the following facts. On September 27, 2012, Petitioner applied for SNAP benefits for a household of two persons, comprising herself, and her then 20-year old son, K.A. On January 15, 2013, Petitioner submitted an Interim Reporting Form ("IRF"), also indicating a two-person household, with no change to the amount of total household gross income. Later, the Agency became aware that K.A. was employed. In April, 2014, the Agency confirmed that K.A. had earned income beginning February, 2013, through October, 2013. The Agency then determined that K.A.'s unreported earned income, when combined with Petitioner's reported earned income, would have caused the total household gross income to exceed the maximum level allowable for receipt of SNAP benefits, therefore making Petitioner's household ineligible for SNAP benefits. See N.J.A.C. 10:87-5.1(a), -12.4.

On March 25, 2019, the Agency notified Petitioner that because she did not report K.A.'s earnings, she received an overissuance of \$1,526.01 in SNAP benefits, for the period beginning May, 2013, through October, 2013, which must be repaid. Petitioner did acknowledge receipt of the Agency's March 25, 2019, notice. On April 10, 2019, in a letter following up on Petitioner's telephone call to the Agency questioning the overpayment, the Agency confirmed the overpayment amount, and further advised Petitioner that if she fails to make suitable payment arrangements, the overpayment amount will be submitted to the Set Off Individual Liability ("SOIL") program and/or the Federal Treasury Offset ("TOP") program, which may intercept her NJ or Federal Tax refund ("SOIL Letter"). Further, I hereby take official notice that the records of this office reflect that on September 11, 2019, Petitioner was also issued a notice advising her that the overissuance claim was delinquent as of April 24, 2019, and that if she did not contact the Agency regarding payment of the claim within 60 days of the date of the notice, the claim would be referred to TOP for collection ("60-day Notice"). See N.J.A.C. 1:1-15.2(a) and N.J.R.E. 201(b) (4); see also N.J.A.C. 10:87-11.21(a)(iii). The record is devoid of any indication that Petitioner contacted the Agency in response to the SOIL letter, or within 60 days of the 60-day Notice. I further take official notice that the records of this office also show that, when Petitioner did not respond to the 60-day Notice, on November 13, 2019, Petitioner's claim was certified to TOP for collection. Ibid. Finally, I also take official notice that the records of this office show that, as a result of Petitioner's claim being certified to TOP, on February 12, 2020, K.A.'s Federal Income Tax refund was intercepted, and thereafter, applied to Petitioner's total outstanding balance.

Based on the foregoing facts, I find and conclude that Petitioner failed to contact the Agency to make any suitable arrangements to repay the overissuance, thereby causing the outstanding claim for overissued SNAP benefits to become past due and legally enforceable, and referred to SOIL and TOP for further collection action. Moreover, I find that K.A. was an adult member of Petitioner's household at the time of her initial application for SNAP benefits, and therefore, is also responsible for payment of the claim, pursuant to regulatory authority. See N.J.A.C. 10:87-11.20(d)(1). Accordingly, I find that the



Agency's interception of K.A.'s Federal Income Tax refund and application of same to the total combined outstanding claim was appropriate, and I hereby AFFIRM that action.

Accordingly, as Petitioner's outstanding debt owed to the Agency was past due and legally enforceable, the Agency's action in this matter is hereby AFFIRMED.

Officially approved final version.

MAY 27 2021

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Natasha Johnson  
Assistant Commissioner







State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
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SHEILA Y. OLIVER  
*Lt. Governor*

TRENTON, NJ 08625-0716

NATASHA JOHNSON  
*Assistant Commissioner*

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STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 02816-21 F.P.

AGENCY DKT. NO. C134069002 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency terminated Petitioner's WFNJ/GA benefits, contending that she had not used said benefits for three months. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 15, 2021, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open to April 16, 2021, to allow Respondent the opportunity to provide additional documentation. No documentation was received and the record then closed on April 16, 2021.

On April 16, 2021, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record reflects, and Petitioner admitted, that she had not used her WFNJ/GA benefits for the months of December, January, and February, 2021. See Initial Decision at 2, 4; see also Exhibit R-1 at 6. The record also reflects that Petitioner was in the hospital during those months and was unable to access those WFNJ/GA benefits, however, she admittedly had not notified the Agency of her hospitalization. See Initial Decision at 2-3. As a result, the Agency terminated Petitioner's WFNJ/GA benefits for failure to use said cash benefits for three months. *Id.* at 3; see also Exhibit R-1 at 3-5, and N.J.A.C. 10:88-4.4(a)(3). However, the ALJ found that the Respondent had failed to send Petitioner the required warning notice prior to its termination of her WFNJ/GA benefits. See Initial Decision at 3-4; see also N.J.A.C. 10:90-4.4(a)(2). Such warning notice was required to be sent to Petitioner when her WFNJ/GA benefits had gone unused for two months. See N.J.A.C. 10:88-4.4(a)(2). Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/GA benefits was improper and must be reversed. See Initial Decision at 4; see also Exhibit R-1 at 3-5. I agree.

Exceptions to the Initial Decision were filed by Legal Services, on behalf of Petitioner, on April 19, 2021.

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.



By way of comment, I have reviewed the Exceptions submitted on behalf of Petitioner, and I find that the arguments made therein do not alter my decision in this matter.

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

Officially approved final version.

**MAY 27 2021**

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Natasha Johnson

Assistant Commissioner





State of New Jersey

PHILIP D. MURPHY  
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TRENTON, NJ 08625-0716

NATASHA JOHNSON  
*Assistant Commissioner*

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STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 01717-21 F.C.

AGENCY DKT. NO. C058406001 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)

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's application for WFNJ/TANF benefits, contending that Petitioner failed to provide required information in order to determine eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 16, 2021, the Honorable Tama B. Hughes, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On April 23, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination. The record in this matter reflects that Petitioner applied for WFNJ/TANF benefits on December 28, 2020. See Initial Decision at 2. On December 29, 2020, the Agency sent Petitioner a letter, denoting what was needed in order to be eligible for WFNJ/TANF benefits, and indicating that said information was due to the Agency by January 15, 2021. *Ibid.*; see also Exhibit R-1 at 8 and N.J.A.C. 10:90-1.2(b)(stating that both the WFNJ applicant, and the Agency, have the responsibility to verify and document eligibility). Amongst the required items was for Petitioner to apply for unemployment benefits, as well as to schedule interviews with the Child Support Unit and the WFNJ/TANF unit, which Petitioner failed to do. See Initial Decision at 2. As a result, on January 27, 2021, the Agency denied Petitioner's application for WFNJ/TANF benefits for failure to comply with requirements necessary for eligibility. *Ibid.*; see also Exhibit R-1 at 1-4 and N.J.A.C. 10:90-2.2(a)(5)(stating that "As a condition of eligibility for WFNJ benefits, the applicant shall, subject to good cause exceptions, be required to provide all necessary documentation."). Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/TANF benefits to Petitioner was proper and must stand. See Initial Decision at 3, 4. I agree. Furthermore, the ALJ found that a letter sent to Petitioner, indicating that he had been approved for Families First benefits, had been sent to Petitioner in error, as at no time prior to December 28, 2020, had Petitioner applied for WFNJ/TANF benefits, but rather, only Supplemental Nutrition Assistance Program ("SNAP") benefits, in September, 2020, and that both WFNJ/TANF and SNAP benefits are issued via an Electronic Benefits Transfer ("EBT") card. *Id.* at 2-3; see also Exhibit P-1 at 1, 5. I also agree.

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.

By way of comment, Petitioner is without prejudice to reapply for WFNJ/TANF benefits, but is reminded that he must comply with program requirements and provide all documentation requested.

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

Officially approved final version.

MAY 27 2021

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Natasha Johnson  
Assistant Commissioner





State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716

SARAH ADELMAN  
*Acting Commissioner*

SHEILA Y. OLIVER  
*Lt. Governor*

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 10746-20 J.S.

AGENCY DKT. NO. S629802012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency terminated Petitioner's WFNJ/GA benefits because his total monthly income put him over the maximum allowable benefit level for continued receipt of WFNJ/GA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for March 2, 2021, but was adjourned at the request of Petitioner. The matter was rescheduled for March 19, 2021, but that date was also adjourned. The case was again rescheduled, and on April 6, 2021, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record remained open for Petitioner to submit additional documentation and then closed on April 9, 2021. On April 28, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

In order to be eligible for WFNJ/GA benefits, the total countable income of the unemployable single adult, or couple without dependent children, must be equal to or less than the maximum benefit payment level for the size of the assistance unit as set out in Schedule V at N.J.A.C. 10:90-3.6(a). See N.J.A.C. 10:90-3.1(b)(1). Effective July 1, 2019, the benefit level for an unemployable WFNJ/GA assistance unit that consists of one individual is \$277 per month. See N.J.A.C. 10:90-3.6(a); see also DFD Informational Transmittal ("IT") No. 19-12.

Here, the record reflects that Petitioner was determined eligible for Retirement, Survivors and Disability Insurance ("RSDI") benefits and advised by the Social Security Administration on September 17, 2020, that he would begin receiving recurring monthly RSDI benefits in the amount \$618. See Initial Decision at 2; see also Exhibit R-C. That letter further advised that, at Petitioner's request, his RSDI benefits would now be directed to a different financial institution than that previously designated by Petitioner. See Initial Decision at 2-3; see also Exhibit R-C. As Petitioner's monthly unearned income



from RSDI benefits exceeded the unemployable WFNJ/GA maximum benefit level of \$277, Petitioner was no longer eligible for WFNJ/GA benefits, and the Agency terminated Petitioner's WFNJ/GA benefits effective November 1, 2020. See Initial Decision at 3; see also N.J.A.C. 10:90-3.6(a) and Exhibit R-A. While Petitioner maintained that he had not received any RSDI payments, the record contradicted Petitioner's assertion, and Petitioner could not present any evidence to substantiate his claim. See Initial Decision at 4. Therefore, based on the record presented, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/GA benefits was proper and must stand. See Initial Decision at 4-5. I agree.

By way of comment, while the transmittal in this matter indicates that Petitioner was also challenging the correctness of his monthly Supplemental Nutrition Assistance Program ("SNAP") benefits allotment amount, the Initial Decision states that Petitioner was no longer contesting that amount. See Initial Decision at 2. As such, that issue is not address in this Final Agency Decision and is hereby dismissed as moot.

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

MAY 27 2021

Officially approved final version.

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Natasha Johnson  
Assistant Commissioner





State of New Jersey

PHILIP D. MURPHY  
*Governor*

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DIVISION OF FAMILY DEVELOPMENT  
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STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 01608-20 J.T.

AGENCY DKT. NO. C662555007 (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 documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 15, 2021, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On March 17, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that the Agency had properly noticed Petitioner regarding the specific documentation required to be provided to the Agency in order for it to determine her eligibility for WFNJ/GA benefits. See Initial Decision at 2, 4; see also Exhibit R-4, and N.J.A.C. 10:90-2.2(a)(5). Further, the ALJ found that the Agency had contacted Petitioner by telephone on several occasions at the two telephone numbers provided by Petitioner, to inquire about the status of the necessary information and to offer assistance to her in acquiring the required information if needed. See Initial Decision at 3. The record reflects that the Agency was only able to leave messages on one of those two telephone lines. *Ibid.* The ALJ also found that Petitioner had never returned any of the Agency's calls, nor had she provided any of the information required. *Id.* at 2, 4. At the hearing, Petitioner claimed that she could not provide the information required because the Agency's request was not specific enough, and further, that she had telephoned the Agency on several occasions, at which time none of the Agency representative offered to assist her regarding her application. *Id.* at 3. However, the ALJ found that Petitioner could not substantiate her claims. *Id.* at 3-4. Moreover, Petitioner stated that she had not intended to provide her personal information to the Agency in any form, such as email, but rather, insisted that she be permitted to come into the Agency for processing of her application in person, which was prohibited due to the COVID-19 pandemic. *Id.* at 3. Based on the foregoing, the ALJ concluded that Petitioner had not provided the Agency with the documentation required to determine her eligibility for WFNJ/GA benefits, and therefore, the Agency's denial of WFNJ/GA benefits to Petitioner was proper and must stand. See Initial Decision at 4-5; see also Exhibit R-7, and N.J.A.C. 10:90-2.2(a)(5). I agree.

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.

By way of comment, Petitioner is advised that she may reapply for WFNJ/GA benefits but must supply all required information and documentation necessary to determine eligibility.

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

Officially approved final version.

MAY 27 2021

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Natasha Johnson

Assistant Commissioner







## State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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SARAH ADELMAN  
*Acting Commissioner*

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*Lt. Governor*

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 01961-21 J.J.

AGENCY DKT. NO. C341397007 (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 complete a telephonic interview regarding his application for WFNJ/GA benefits and failed to provide required documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 8, 2021, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On April 12, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner submitted an on-line application for WFNJ/GA benefits on May 15, 2020, and on May 18, 2020, the Agency had sent Petitioner a letter requesting certain documentation required to determine his WFNJ/GA benefits eligibility, and advising him to contact the Agency to set up a required telephonic interview. See Initial Decision at 2; see also Exhibits P-1, R-1 at 5; see also N.J.A.C. 10:90-2.2(a)(5). Although Petitioner denied receiving the aforementioned letter, the ALJ found that said letter had been sent to Petitioner's correct address. See Initial Decision at 2-3; see also Exhibit R-1 at 5. However, the record further reflects that the Agency had failed to take action on Petitioner's May 2020, WFNJ/GA benefits application until December 2020, when Petitioner had called the Agency to follow up on the status of that application. See Initial Decision at 2. Thereafter, on several occasions, the Agency attempted to contact Petitioner by telephone regarding the required telephonic interview and documentation needed, left several voice messages, but received no contact from Petitioner. See Initial Decision at 2-3; see also Exhibit R-1 at 10, 13-15. Petitioner admitted to receiving two phone calls from the Agency, but claimed that no call back number had been provided by which he could contact them. *Id.* at 3. However, the ALJ found that Petitioner's claim was not credible because he had contacted the Agency in December 2020, to follow up on the status of his application. *Id.* at 2-4. Based on the foregoing, the ALJ found that the Agency had properly contacted Petitioner, and that it was Petitioner who had failed to respond to their calls and had failed to provide the requested documentation. *Id.* at 4. Accordingly, the ALJ concluded that the Agency's denial of WFNJ/GA benefits to Petitioner was proper and must stand. *Ibid.*; see also Exhibit R-1 at 16-20, and N.J.A.C. 10:90-2.2(a)(5). I agree.

No Exceptions to the Initial Decision were received.



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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.

By way of comment, Petitioner is advised that he may reapply for WFNJ/GA benefits.

By way of further comment, the transmittal in this matter indicates that Petitioner also appealed the correctness of back WFNJ/GA benefits, which was not addressed by the ALJ in the Initial Decision. Therefore, if Petitioner still has an issue concerning back WFNJ/GA benefits, he may request another fair hearing on that issue alone. However, if Petitioner's assertion is that he is entitled to back WFNJ/GA benefits based on the May 2020, application, based on the above decision, that assertion is now baseless.

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

Officially approved final version.

MAY 27 2021

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Natasha Johnson  
Assistant Commissioner

