



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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NATASHA JOHNSON
Assistant Commissioner

The following Decision is distributed for your information. This Decision has been made in consideration of the specific facts of this case. This Decision is not to be interpreted as establishing any new mandatory policy or procedure otherwise officially promulgated.

STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW **08322-24 M.B.**

AGENCY DKT. NO. **C099777018 (SOMERSET COUNTY BOARD 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 his total monthly income exceeded the maximum allowable income amount for receipt of said benefits, and terminated his EA benefits because he was no longer 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 July 8, 2024, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents into evidence, and the record then closed. On July 24, 2024, 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 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's determinations are **AFFIRMED**, based on the discussion below.

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). 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.

Here, an independent review of the record reflects that Petitioner was receiving WFNJ/GA benefits and, as a result of his income certification documentation provided, it was determined Petitioner's monthly income exceeded the maximum allowable income amount for continued eligibility for WFNJ/GA benefits. See Initial Decision at 2, see also Exhibit R-1. Upon receipt of Petitioner's income documentation, the Agency terminated Petitioner's WFNJ/GA benefits due to the amount exceeding the maximum income benefits level of \$185 for continued eligibility, effective June 1, 2024. See Exhibit R-1; see also Initial Decision at 2. Additionally, as Petitioner was no longer a WFNJ benefits recipient, nor an SSI benefits recipient, the Agency, by notice dated May 30, 2024, terminated Petitioner EA benefits. Ibid.; see also N.J.A.C. 10:90-6.2(a). Based on the record presented, the ALJ agreed that both of the Agency's terminations were proper and must stand. See Initial Decision at 2. I agree.



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

Officially approved final version. August 29, 2024

Natasha Johnson
Assistant Commissioner

