



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

SARAH ADELMAN
Commissioner

TAHESHA L. WAY
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 11527-24 M.H.

AGENCY DKT. NO. C156885001 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner's WFNJ/GA benefits, contending that his monthly unearned income exceeded the WFNJ/GA benefits initial financial eligibility limits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 16, 2024, the Honorable Carl V. Buck III, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On November 13, 2024, 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.

Financial eligibility for WFNJ/GA 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 assistance unit (hereinafter "AU") has income that is equal to or less than the maximum allowable income or benefit level, then initial financial eligibility exists. See N.J.A.C. 10:90-3.1(b), -3.5(a), -3.6(a). Effective July 1, 2019, the maximum allowable income level for an employable WFNJ/GA assistance unit that consists of one individual is \$278 per month. See N.J.A.C. 10:90-3.5(a); see also DFD Informational Transmittal ("IT") No. 19-21. The total countable income of an 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 maximum benefit level for an unemployable WFNJ/GA AU, consisting of one person, is \$277 per month. See N.J.A.C. 10:90-3.6(a); see also DFD IT No. 19-21.

Here, the ALJ found, and the record substantiates, that, Petitioner reported that he receives monthly monetary contributions from family members totaling at least \$1,150. See Initial Decision at 3; see also Exhibit R-1. In accordance with applicable regulatory authority, Petitioner's monthly income of \$1,150, exceeded the maximum allowable income level for receipt of WFNJ/GA benefits for an employable individual, and also exceeded the maximum benefit level for an unemployable individual. See Initial Decision at 2-3; see also N.J.A.C. 10:90-3.4(a), -3.5(a), -3.6(a) and DFD IT No. 19-21. Based on the foregoing, the ALJ concluded that the Agency's denial of Petitioner's WFNJ/GA benefits was proper and must stand. See Initial Decision at 4; see also Exhibit R-1. I agree, but modify the Initial Decision to reflect that the initial financial eligibility limit for an assistant unit of one employable adult is \$278, and for an unemployable adult is \$277,



rather than the \$321 noted by the ALJ, which is the amount applicable to Work First New Jersey/Temporary Assistance to Needy Families ("WFNJ/TANF") applicants.

By way of comment, Petitioner is without prejudice to reapply for WFNJ/GA benefits, as appropriate, should his circumstances have changed.

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

Officially approved final version. December 24, 2024

Natasha Johnson
Assistant Commissioner

