



State of New Jersey

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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 **02173-24 T.W.**

AGENCY DKT. NO. **C703240007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner appeals from the Respondent Agency's denial of her application for Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner's application for WFNJ/GA benefits, contending that Petitioner failed to participate in the interview necessary to determine eligibility for benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 16, 2024, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. Upon the issuance of the Initial Decision on May 14, 2024, the Agency informed the ALJ that, prior to the hearing, the parties had settled the portion of the case regarding SNAP benefits. See Initial Decision at 2. However, the Initial Decision of May 14, 2024, did not address the remaining issue of the denial of WFNJ/GA benefits. Therefore, the ALJ rescinded the May 14, 2024, Initial Decision and reopened the record to address the denial of WFNJ/GA benefits. On May 28, 2024, the ALJ held a telephonic conference with both parties who confirmed that the testimony and documents provided on April 16, 2024 remained unchanged. As such, the ALJ relied upon the previously submitted testimony and documents and on May 28, 2024 the record was again closed.

On May 29, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination regarding the denial of Petitioner's WFNJ/GA benefits. Here, the record reveals that Petitioner applied for WFNJ/GA benefits on July 19, 2023, and that the Agency attempted to interview the Petitioner by telephone on October 18, 2023. See Initial Decision at 3; see also Exhibit R-1. On October 18, 2023, the telephone number provided on the application was out of service and the Agency mailed, to the address listed on Petitioner's application, a notice to Petitioner to schedule a telephone WFNJ/GA Appointment for October 31, 2023. Ibid. On that date, the Agency worker attempted to contact Petitioner, but was unsuccessful. Ibid. Petitioner was then sent a Notice of Denial of WFNJ/GA benefits citing a failure to comply/cooperate. Ibid. On November 2, 2023, Petitioner telephoned the Agency with her updated address, which the Agency acknowledged on November 3 and November 6, 2023. Ibid.

Petitioner testified that she never received the October 18, 2023 letter from the Agency and did not receive another Agency letter until December 26, 2023. See Initial Decision at 3. Further, Petitioner testified that she moved on November 15, 2023 from the residence listed on her WFNJ/GA application and argued that the Agency should have forwarded the notice to her new address when she informed the Agency on November 2, 2023, of her new address. Ibid. However, the ALJ found that the Agency acted reasonably when mailing the notice to the address listed on Petitioner's WFNJ/GA application during October 2023. Ibid.

In order to determine eligibility for WFNJ/GA benefits, mandatory verification of certain information is required. See N.J.A.C 10:90-2.2(a)(5) (stating that "An applicant/recipient, as a condition of eligibility for WFNJ TANF/GA benefits, shall,



subject to good cause exceptions, be required to do the following...provide all necessary documentation (which shall include contact information)”), see also N.J.A.C. 10:90-2.2(d) (stating that “Any WFNJ applicant/recipient who fails at any time to cooperate with any of the WFNJ program eligibility requirements without good cause shall render some or all assistance unit members ineligible for WFNJ benefits.”). Based on the credible testimony provided, the ALJ concluded that Petitioner had not participated in the interview required to determine eligibility, and as such, the Agency’s denial of WFNJ/GA benefits to Petitioner was proper and must stand. See Initial Decision at 4-5; see also N.J.A.C.10:90-2.2(a)(5), (d). I agree.

Exceptions to the Initial Decision were filed on May 31, 2024, by Petitioner.

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/GA benefits in her current county of residence, but is reminded that she must provide all information and documentation requested, as well as participate in any required interview(s), in order to determine eligibility.

By way of further comment, I have reviewed Petitioner’s Exceptions and 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 AFFIRMED.

Officially approved final version. June 27, 2024

Natasha Johnson
Assistant Commissioner

