



State of New Jersey

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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

REMAND DECISION

OAL DKT. NO. HPW 02849-17 E.D.

AGENCY DKT. NO. C692656007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") and Emergency Assistance ("EA") benefits. The Agency denied Petitioner WFNJ/TANF benefits, contending that she failed to provide child support information. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 27, 2018, the Honorable JoAnn LaSala Candido, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On February 28, 2018, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the ALJ found that Petitioner had made a good faith effort and had provided the Agency with all the information regarding the whereabouts of the father of her child that she could reasonably obtain. See Initial Decision at 2-3; see also Exhibit R-1 at 4. The ALJ also found that there was nothing in the record to indicate that the Agency had attempted to assist Petitioner in finding any further information. See Initial Decision at 3. Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/TANF benefits to Petitioner was improper, and ordered the Agency to process Petitioner's WFNJ/TANF benefits application to determine her eligibility for said benefits, finding that good cause existed to waive the child support provision. *Ibid.*; see also Exhibit R-1 at 1-3, and N.J.A.C. 10:90-16.4. I agree. Additionally, the record reflects that Petitioner is facing imminent homelessness, and therefore, the Agency is directed to expedite the processing of Petitioner's WFNJ/TANF application. See Initial Decision at 2; see also Exhibit P-1.

No Exceptions to the Initial Decision were received.

As the Director of the 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, the transmittal in this matter indicates a contested issue regarding a denial of EA benefits, which was not addressed by the ALJ in the Initial Decision. As the record indicates that Petitioner is soon to be homeless, I direct the Agency to expedite the processing of Petitioner's EA benefits application, as well. See Initial Decision at 2; see also Exhibit P-1.

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



REMANDED to the Agency for further action as outlined above.

Officially approved final version.

MAR - 9 2018

Natasha Johnson
Director

