



State of New Jersey

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Governor

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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

FINAL DECISION

OAL DKT. NO. HPW 02031-18 J.I.

AGENCY DKT. NO. C114073008 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits and Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's WFNJ/TANF benefits contending that his household income exceeds the maximum allowable benefit level for receipt of WFNJ/TANF benefits. The Agency also terminated Petitioner's EA benefits because he is no longer a WFNJ/TANF benefits recipient, and thus ineligible for receipt of EA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 9, 2018, the Honorable Jeffrey R. Wilson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On March 20, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner's household consists of himself and his daughter, B.I. See Initial Decision at 2. In January 2018, B.I. was granted Retirement, Survivors and Disability Insurance ("RSDI") benefits in the monthly amount of \$742. See Initial Decision at 2; see also Exhibit R-2 at 4. By notice dated January 19, 2018, the Agency terminated Petitioner's WFNJ/TANF benefits, effective January 31, 2018, because B.I.'s monthly RSDI benefits are attributed to Petitioner's household income, thereby resulting in Petitioner's household's income exceeding the \$322 maximum allowable benefit level for a WFNJ/TANF assistance unit of two. See Initial Decision at 4; see also Exhibit R-1 at 3, and N.J.A.C. 10:90:3.1(a), -3.1(c), and -3.3(b). Petitioner did not dispute any of the aforementioned facts. See Initial Decision at 3. The ALJ found that B.I.'s receipt of RSDI benefits caused Petitioner to become ineligible for WFNJ/TANF benefits, and therefore, concluded that the Agency's termination of said benefits was proper, and must stand. See Initial Decision at 4; see also Exhibit R-1 at 3, and N.J.A.C. 10:90-3.3(b). I agree.

The Agency also terminated Petitioner's EA benefits, effective January 31, 2018, because he was no longer a WFNJ/TANF benefits recipient. See Initial Decision at 2; see also Exhibit R-2 at 2, and N.J.A.C. 10:90-6.2(a). The ALJ concluded that because Petitioner's WFNJ/TANF benefits were properly terminated, Petitioner is no longer eligible for EA benefits, and therefore, the Agency's termination of Petitioner's EA benefits was also proper and must stand. See Initial Decision at 4; see also Exhibit R-2 at 2, and N.J.A.C. 10:90-6.2(a). I also agree.

Exceptions to the Initial Decision were filed by Petitioner on April 9, 2018.

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.



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

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

Officially approved final version.

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Natasha Johnson  
Director

MAY 15 2016

