



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
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NATASHA JOHNSON
Director

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 11975-18 J.M.

AGENCY DKT. NO. C344806007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner challenges the correctness of Respondent Agency's reduction of his Supplemental Nutrition Assistance Program ("SNAP") benefits, and also appeals from the Respondent Agency's denial of his application for Emergency Assistance ("EA"), and Work First New Jersey/General Assistance ("WFNJ/GA"), benefits. Petitioner's SNAP benefits were reduced due to Petitioner's receipt of Unemployment Insurance Benefits ("UIB"). The Agency denied his application for WFNJ/GA benefits contending that Petitioner's receipt of UIB caused his income to exceed the maximum permissible income level for receipt of benefits. The Agency also denied Petitioner EA benefits because Petitioner was not a WFNJ benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 23, 2018, the Honorable Jude-Anthony Tiscornia, Administrative Law Judge ("ALJ"), held a plenary hearing on all the issues presented, took testimony, and admitted documents.

On that same date, the ALJ issued an Initial Decision affirming the Agency's determination. Here, the record reflects that pending review of his applications for WFNJ/GA and EA benefits, Petitioner received immediate need in the form of shelter placement. See Initial Decision at 2; see also N.J.A.C. 10:90-1.3(a). On June 28, 2018, the Agency advised Petitioner that, in order to process his application for WFNJ/GA benefits, he was required, among other things, to apply for UIB benefits. See Notice of Verification, dated June 28, 2018. The ALJ found that Petitioner receives \$1,794 monthly in UIB benefits. See Initial Decision at 2; see also Nebraska Department of Labor UIB Confirmation, dated June 28, 2018. The ALJ concluded that Petitioner's income was over the maximum allowable for receipt of WFNJ/GA benefits, and therefore, the Agency had properly denied Petitioner WFNJ/GA benefits, and also properly reduced Petitioner's SNAP benefits, due to receipt of UIB. See Initial Decision at 3; see also N.J.A.C. 10:90-3.5(b); see also N.J.A.C. 10:87-5.1(a); see also Division of Family Development ("DFD") Instruction 17-09-02. Finally, the ALJ also concluded that as Petitioner is not eligible for WFNJ/GA benefits, he is ineligible for EA benefits. See Initial Decision at 3; see also N.J.A.C. 10:90-6.2(a). I agree.

No Exceptions to this Initial Decision were filed.



As the Director of the DFD, 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 decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter.

By way of comment, it should be noted, that when a household's income increases, and all other values in SNAP calculations remain constant, the household's monthly SNAP allotment will decrease.

By way of further 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 in this matter is hereby ADOPTED, and the Agency's determination is AFFIRMED.

Officially approved final version.

SEP - 4 2018

Natasha Johnson
Director

