



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

CAROLE JOHNSON
Commissioner

SHEILA Y. OLIVER
Lt. Governor

TRENTON, NJ 08625-0716

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 07679-18 J.R.

AGENCY DKT. NO. C454786007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner WFNJ/GA benefits contending that he failed to submit documentation needed to determine his WFNJ/GA eligibility, within the ten days required. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 13, 2018, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open to allow the Agency the opportunity to submit additional documentation, and the record then closed on June 15, 2018.

On June 27, 2018, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the ALJ found that the Agency sent Petitioner a notice requesting certain documentation within ten days, but that it was sent to Petitioner's previous address. See Initial Decision at 2, 4-5; see also Exhibit R-2. The ALJ also found that Petitioner had advised the Agency of his current address, prior to the mailing of that notice. See Initial Decision at 2, 4. Therefore, the ALJ found that Petitioner had never received the Agency's notice, and that his detailed record keeping demonstrated that, had he been properly noticed, the required documentation would have been timely provided. Id. at 4-5; see also Exhibit P-4. Moreover, the ALJ found that Petitioner had attempted to submit the required documentation prior to the fair hearing, but that the Agency had refused to accept said documentation because it had already denied WFNJ/GA benefits to Petitioner. See Initial Decision at 3; see also Exhibit P-3. The record also reflects that Petitioner completed the mandatory 28-day work activity, required for WFNJ/GA eligibility, on April 17, 2018. See Initial Decision at 2, 5; see also Exhibits P-1 and R-5. Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/GA benefits to Petitioner was improper and must be reversed. See Initial Decision at 5; see also Exhibit R-1, and N.J.A.C. 10:90-2.2 (a)(5). I agree.

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, Petitioner is instructed to provide the Agency with the requested documentation, if he has not already done so.

By way of further comment, upon receipt of the requested documentation from Petitioner, the Agency shall provide Petitioner with WFNJ/GA benefits retroactive to April 17, 2018, the date that Petitioner completed his 28-day work activity. See Initial Decision at 2, 5; see also Exhibits P-1, R-5, and N.J.A.C. 10:90-1.2(f)(8).



F,07,N,C454786007X,0027,000007494534

BARA003

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

Officially approved final version.

JUL - 6 2018

Natasha Johnson

Director

