



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 13021-18 P.B.

AGENCY DKT. NO. C198312020 (UNION COUNTY DIVISION OF SOC. SVCS.)

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 had failed to come into compliance with a previously imposed sanction, and denied Petitioner EA benefits because she was not a WFNJ or Supplemental Security Income ("SSI") benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 12, 2018, the Honorable Margaret M. Monaco, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On September 13, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. The record reflects that, Petitioner's WFNJ/TANF benefits were previously sanctioned, and her WFNJ/TANF case closed because she failed to comply with the required WFNJ work activity. See Initial Decision at 2; see also Exhibit R-1 at 19, 23-28, and N.J.A.C. 10:90-4.13. Thereafter, Petitioner reapplied for WFNJ/TANF benefits, and in order to be approved for said benefits, and have the sanction lifted, she was required to come into compliance by completing a ten-day work activity, commencing August 6, 2018. See Initial Decision at 2; see also Exhibit R-1 at 20-22, and N.J.A.C. 10:90-2.2(a)(7). However, Petitioner failed to come into compliance and on August 29, 2018, the Agency denied Petitioner WFNJ/TANF benefits, and consequently, on August 30, 2018, denied Petitioner's application for EA benefits because she was not a WFNJ or SSI benefits recipient. See Initial Decision at 2-4; see also Exhibit R-1 at 8-17, and N.J.A.C. 10:90-2.2(a)(7), -6.2(a). Petitioner claimed that she was unable to comply with her work activity due to lack of child care, however, the record indicates that the Agency had referred Petitioner for child care services and that Petitioner had refused three separate child care referrals, without good cause. See Initial Decision at 3. On August 31, 2018, Petitioner obtained medical documentation memorializing that her son had been ill since August 12, 2018, and that he was permitted to return to day care on September 1, 2018. See Initial Decision at 4; see also Exhibit R-1 at 5-7. Thereafter, Petitioner again reapplied for WFNJ/TANF benefits, however, as of the date of the hearing, Petitioner still had not begun the work activity required to lift her sanction. See Initial Decision at 4. Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/TANF benefits to Petitioner was proper and must stand, and that the Agency's denial of EA benefits to Petitioner was proper because she was not a WFNJ or SSI benefits recipient. See Initial Decision at 5-6; see also Exhibit R-1 at 8-17, and N.J.A.C. 10:90-2.2(a)(7), -6.2(a). 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, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her 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.

SEP 24 2018

Natasha Johnson

Director

