



State of New Jersey

CHRIS CHRISTIE
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716
TRENTON, NJ 08625-0716

ELIZABETH CONNOLLY
Acting Commissioner

KIM GUADAGNO
Lt. Governor

NATASHA JOHNSON
Director
Tel: (609) 588-2000

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 15028-17 R.O.

AGENCY DKT. NO. S530449012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency denied Petitioner's WFNJ/TANF benefits contending that he failed to comply and cooperate with the application process. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 14, 2017, the Honorable Carl V. Buck, III, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On December 5, 2017, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner and his wife applied for WFNJ/TANF benefits on August 22, 2017, and were advised informally by the Agency that they would not be eligible to receive benefits due to the wife's income. See Initial Decision at 2; see also Exhibit R-11. Thereafter, on August 23, 2017, Petitioner went back into the Agency claiming that his wife had left him, and on August 24, 2017, he reapplied for WFNJ/TANF benefits for himself and his two children. See Initial Decision at 3-4; see also Exhibit R-10. However, despite numerous requests for proof from Petitioner that his wife no longer resided with him, no such proof was forthcoming. See Initial Decision at 3. Petitioner was unable to provide any testimony or corroborating documentation to substantiate his claim that his wife left, but rather, stated that she had returned to the household within a month of departing. *Id.* at 6. Contrarily, the Agency presented eyewitness testimony, and introduced financial and other reports into evidence, indicating that Petitioner's wife continued to reside at the same address as Petitioner, with no indication that she had recently resided elsewhere. *Id.* at 3-4; see also Exhibits R-1 through R-8. Based on the foregoing, the ALJ concluded that Petitioner failed to comply and cooperate with the Agency's requests for information that Petitioner's wife had not left the marital residence, and that the Agency's denial of WFNJ/TANF benefits to Petitioner was proper and must stand. See Initial Decision at 6-8; see also N.J.A.C. 10:90-1.6, -2.2(a)(5), and -3.3(a), (b). 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.



F,12,N,S530449012X,0027,000006666836

BARA003

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

Officially approved final version.

JAN 22 2018

Natasha Johnson

Director

