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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 17945-17 S.B.

AGENCY DKT. NO. C693861007 (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 provide requested documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 9, 2018, the Honorable Julio C. Morejon, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On February 23, 2018, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the Agency denied Petitioner WFNJ/GA benefits contending that he failed to provide documentation indicating how he has been supporting himself, specifically, how he had been providing himself with soap, shampoo, and basic hygiene items prior to applying for WFNJ/GA benefits. See Initial Decision at 2-3; see also Exhibits R-2, R-3, and N.J.A.C. 10:90-2.2(a)(5). The ALJ found that the Agency had acknowledged that Petitioner had provided the information requested when it stated in its notice to Petitioner that the "Letter of Support provided does indicate how you have been providing self with necessities," yet in the next sentence confused the matter when it required Petitioner to clarify how he had been providing himself with soap, shampoo, and basic hygiene items prior to applying for cash benefits. See Initial Decision at 4; see also Exhibit R-2. Regardless of the contradictory statements made by the Agency, the ALJ found Petitioner credible when he testified that he had provided the Agency with the Letter of Support that it had requested concerning how he had provided himself with the questioned basic necessities. See Initial Decision at 3-4. Moreover, the ALJ found that Petitioner has demonstrated that he is income and resource eligible for WFNJ/GA benefits. *Id.* at 4. Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/GA benefits to Petitioner was improper and must be reversed. *Ibid.*; see also Exhibit R-3 and N.J.A.C. 10:90-2.2(a)(4)(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.



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

Officially approved final version.

Natasha Johnson
Director

APR 04 2018

