



State of New Jersey

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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 15322-17 S.P.

AGENCY DKT. NO. C234845020 (UNION COUNTY DIVISION OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") and Emergency Assistance ("EA") benefits. The Agency denied Petitioner's WFNJ/GA benefits contending that she failed to provide verification information, requested by the Agency, needed to determine her eligibility, 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. Petitioner requested a fair hearing by telephone, indicating that she is homebound. On November 17, 2017, the Honorable Leslie Z. Celentano, Administrative Law Judge ("ALJ"), held a telephonic hearing, took testimony, and admitted documents. The record remained opened until February 12, 2018, to allow Petitioner the opportunity to provide additional bank records and verifications, and the record then closed.

On February 14, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on October 20, 2017, Petitioner's application for WFNJ/GA benefits was denied because she had failed to provide the required verifications, specifically, bank account statements needed to determine if Petitioner held a joint bank account with her son. See Initial Decision at 2; see also Exhibit P-1 at 3, 4. Subsequently, Petitioner forwarded correspondence to the Agency from one particular bank indicating that she is the sole account holder. See Initial Decision at 2; see also Exhibit P-3. Thereafter, on November 29, 2017, the Agency requested that Petitioner contact the Agency because it received information indicating that she shared a checking account with her son, and also had two additional accounts associated with her name. See Initial Decision at 3; see also Exhibit P-5 at 8. However, on December 1, 2017, the Agency advised the ALJ that it still had not received the requested verifications from Petitioner regarding the bank accounts in question. See Initial Decision at 2; see also Exhibit R-1. The Agency then subpoenaed the bank, requesting information on all accounts associated with Petitioner's name. See Initial Decision 2-3. On December 7, 2017, the Agency notified Petitioner by mail, once again requesting her to verify the source of funds that were deposited into and transferred from her bank accounts. See Initial Decision at 3; see also Exhibit R-2 at 2.

Based upon the testimonial and documentary evidence, the ALJ found that there were deposits and transfers about which the Agency had questions. See Initial Decision at 3; see also N.J.A.C. 10:90-3.1(b). Additionally, the ALJ found that Petitioner has not verified the source of the deposits. See Initial Decision at 4; see also N.J.A.C. 10:90-2.2(a)(5). Therefore, the ALJ concluded that Petitioner must present verification as to source of the deposits in question, and until she does, she is ineligible for WFNJ/GA and EA benefits. See Initial Decision at 4; see also N.J.A.C. 10:90-1.6(a), -6.2(a). Accordingly, the ALJ concluded that the Agency properly denied Petitioner WFNJ/GA and EA benefits. See Initial Decision at 4; see also Exhibit P-1 at 3-6; and N.J.A.C. 10:90-1.6(a), -1.6(b), -2.2(a)(5), and 6.2(a). I agree.



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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 without prejudice to reapply for WFNJ/GA and EA benefits, but must provide all documentation requested by the Agency.

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

Officially approved final version.

MAR 28 2018

Natasha Johnson

Director

