



State of New Jersey

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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 04656-18 S.T.

AGENCY DKT. NO. C054162018 (SOMERSET COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency terminated Petitioner's WFNJ/TANF benefits contending that she has exhausted her lifetime limit of said benefits, and does not qualify for an exemption from, or extension of, those benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. An initial hearing was held on February 13, 2018, and an Initial Decision was rendered on February 27, 2018. However, on April 3, 2018, the matter was remanded to the OAL for a new hearing. On May 15, 2018, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing on the remanded matter, took testimony, and admitted documents. On May 22, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were filed by the Agency on June 4, 2018.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, and AFFIRM the Agency's determination.

Pursuant to N.J.A.C. 10:90-2.3(a), "eligibility for cash assistance benefits shall be limited to a lifetime total of 60 cumulative months for an adult individual recipient." See also N.J.A.C. 10:90-1.1(d) ("Assistance benefits provided under WFNJ are time-limited and considered a temporary cash subsidy[.]"). However, an individual may receive additional months of cash assistance if he/she qualifies for an exemption to, or extension of, the time limit, as set forth at N.J.A.C. 10:90-2.4 and -2.5 respectively.

Here, the record reflects that Petitioner has received 72 months of WFNJ/TANF benefits. Based on the testimonial and documentary evidence, the ALJ concluded that Petitioner has exhausted her lifetime limit of WFNJ/TANF benefits, and does not qualify for any further benefits. See Initial Decision at 2-3; see also Exhibit R-1 at 1, 2, 4A, 5. However, the ALJ incorrectly applies the wrong legal analysis, referencing the lifetime limit for EA benefits rather than WFNJ benefits, and then going on to erroneously



affirm a denial of Emergency Assistance/Temporary Rental Assistance benefits, which was not at issue presented. See Initial Decision at 3. Rather, based on the record in this matter, and the ALJ's factual findings pertaining to Petitioner exceeding the lifetime limit for WFNJ benefits, see Initial Decision at 2, I find that the Agency's termination of Petitioner's WFNJ/TANF benefits was proper and must be affirmed. See Initial Decision at 2; see also Exhibit R-1 at 1, 2, 4A, 5, and N.J.A.C. 10:90-2.3, -2.4, -2.5. The Initial Decision is modified to reflect this finding.

Accordingly, the Initial Decision is hereby MODIFIED, and the Agency's action is AFFIRMED.

Officially approved final version.

JUN 13 2018

Natasha Johnson

Director

