



## State of New Jersey

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*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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CAROLE JOHNSON  
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*Lt. Governor*

NATASHA JOHNSON  
*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 06582-18 T.W.

AGENCY DKT. NO. C078145018 (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") and Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's WFNJ/TANF benefits contending that her total monthly income exceeds the allowable eligibility benefit level for receipt of those benefits, and terminated Petitioner's EA benefits because she is no longer a WFNJ, nor Supplemental Security Income ("SSI"), benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 14, 2018, the Honorable Elia A. Pelios, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On August 29, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

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 ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination.

Pursuant to N.J.A.C. 10:90-3.1(c), once initial financial eligibility for WFNJ/TANF benefits is found to exist, financial eligibility continues to exist so long as the total countable income of the WFNJ/TANF assistance unit (with benefit of the appropriate disregards at N.J.A.C. 10:90-3.8 for earned income) is less than the maximum benefit payment level for the appropriate eligible assistance unit size in accordance with Schedule II at N.J.A.C. 10:90-3.3(b). The benefit level for a WFNJ/TANF assistance unit of three is \$424 per month. *Ibid.*

Here, the record reflects that Petitioner began working and received her first paycheck on April 6, 2018. See Initial Decision at 2; see also Exhibit R-1 at 3. Petitioner's monthly earned income is \$2,257. See Initial Decision at 2-3; see also Exhibit R-1 at 4-5. After applying the appropriated disregards, it is clear from the record that, as of July 1, 2018, Petitioner's monthly earned income exceeds the allowable eligibility benefit level of \$424 for an assistance unit of three, such as Petitioner's.

See Initial Decision at 3; see also N.J.A.C. 10:90-3.3(b), -3.8. Based on the foregoing, I concur with



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the ALJ's conclusion that the Agency properly terminated Petitioner's WFNJ/TANF benefits, effective July 1, 2018. See Initial Decision at 4; see also Exhibit R-1 at 1, and N.J.A.C. 10:90-3.1(c).

Further, the ALJ found that Petitioner's ineligibility for WFNJ/TANF benefits also renders her assistance unit ineligible for EA benefits. See Initial Decision at 4; see also N.J.A.C. 10:90-6.2(a). I also agree.

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 action is AFFIRMED.

Officially approved final version.

SEP 18 2018

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Natasha Johnson  
Director

