



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 08598-19 E.J.

AGENCY DKT. NO. C243519009 (HUDSON COUNTY DEPT OF FAM 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 Petitioner's household income exceeded the allowable initial financial eligibility limits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 29, 2019, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record closed on August 1, 2019, and on September 3, 2019, 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 ("DFD"), 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. 10:90-3.2(a), in order to determine initial financial eligibility for WFNJ benefits for a new applicant, reapplicant or reopened case, "all countable income available to the assistance unit shall be considered and compared to the initial maximum allowable income levels for the appropriate eligible assistance unit size in Schedule I at N.J.A.C. 10:90-3.3." See also N.J.A.C. 10:90-3.1(b). Further, "[i]f the assistance unit has income equal to or less than the initial maximum allowable income level for the appropriate unit size, then WFNJ/TANF initial financial eligibility exists." See N.J.A.C. 10:90-3.2(a). For an assistance unit of three, effective January 1, 2019, the maximum allowable income level was \$700. See N.J.A.C. 10:90-3.3(a); see also DFD Informational Transmittal ("IT") No. 19-12.

Here, the record reflects that Petitioner's assistance unit consists of himself, his wife, and their minor child. See Initial Decision at 2. In July of 2019, Petitioner applied for WFNJ/TANF benefits indicating that his assistance unit had household income of \$1,281 per month in Retirement, Survivors and Disability Insurance benefits, which exceeded the allowable initial financial eligibility limits. See Initial Decision at 2; see also Exhibit R-1 at 7, 8, 10-12, and N.J.A.C. 10:90-3.2(a), -3.3(a), and IT No. 19-12. Based on the testimony and documentation presented, the ALJ concluded that Petitioner was ineligible for WFNJ/



TANF benefits, and that the Agency's denial of said benefits was proper and must stand. See Initial Decision at 2-3; see also Exhibit R-1 at 2-4, and N.J.A.C. 10:90-3.2(a), -3.3(a). I agree.

By way of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with his current needs, including Social Services for the Homeless.

By way of further comment, should Petitioner's financial circumstances change, he may reapply for WFNJ/TANF benefits.

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

Officially approved final version.

SEP 25 2019

Natasha Johnson

Director

