



# 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 01380-19 K.A.

AGENCY DKT. NO. C084115012 (MIDDLESEX COUNTY BD. 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 because her household income was over the maximum benefits level for eligibility, and terminated Petitioner's EA benefits because she was no longer a WFNJ/TANF benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 1, 2019, the Honorable Tricia M. Caliguire, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On March 11, 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.

Here, the record reflects that Petitioner's assistance unit ("AU") consists of herself, and her two minor children. See Initial Decision at 2. Petitioner's AU was receiving WFNJ/TANF benefits until such time as Petitioner began receiving child support payments, which, after the appropriate child support disregards were applied, brought the household income over the maximum benefit level of \$466 per month allowable for WFNJ/TANF benefits for an AU of three. See Initial Decision at 2-3; see also Exhibits R-2, R-3, and N.J.A.C. 10:90-3.1(c), -3.3(b), -3.8(h)(2), and DFD Informational Transmittal No. 19-12. As a result, the Agency terminated Petitioner's WFNJ/TANF benefits. See Initial Decision at 3; see also Exhibit R-1, and N.J.A.C. 10:90-3.1(c), -3.3(b). The Agency also terminated Petitioner's EA benefits because she was no longer a WFNJ, nor a Supplemental Security Income ("SSI"), benefits recipient, a requirement for EA benefits eligibility. See Initial Decision at 3; see also Exhibit R-10, and N.J.A.C. 10:90-6.2(a). Based on the testimony and evidence presented, the ALJ concluded that Petitioner is ineligible for WFNJ/TANF benefits because her household income exceeds the maximum benefit eligibility level, and Petitioner is ineligible for EA benefits because she is no longer a WFNJ, nor an SSI, benefits recipient. See Initial Decision at 4; see also N.J.A.C. 10:90-3.3(b), -3.8(h)(2), -6.2(a). Accordingly, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/TANF and EA benefits was proper and must stand. See Initial Decision at 4-5; see also Exhibits R-1, R-10. 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 her current needs, including Social Services for the Homeless.

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



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Officially approved final version.

APR 11 2019

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Natasha Johnson

Director

