



*State of New Jersey*

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*Governor*

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DIVISION OF FAMILY DEVELOPMENT  
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TRENTON, NJ 08625-0716

NATASHA JOHNSON  
*Assistant Commissioner*

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 14631-19 L.L.

AGENCY DKT. NO. C694232007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") and the reduction/termination of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency denied Petitioner WFNJ/GA benefits, contending that she failed to provide required documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for October 31, 2019, but was adjourned at the request of the Agency. On November 12, 2019, the Honorable Nanci G. Stokes, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On November 20, 2019, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record reflects that on September 30, 2019, the Agency executed a Settlement agreement reversing its August 19, 2019, denial of WFNJ/GA and SNAP benefits to Petitioner. See Initial Decision at 2, 4-5; see also Exhibits P-1, R-11. However, thereafter, it appears from the record that the Agency terminated Petitioner's WFNJ/GA and SNAP benefits, failed to provide Petitioner with WFNJ/GA benefits for the month of November 2019, and failed to provide Petitioner with SNAP benefits for the months of September, October, and November 2019, contending that Petitioner failed to comply with the WFNJ work activity protocol. See Initial Decision at 3-5; see also Exhibits R-1 through R-4, R-7 through R-9. The ALJ found that the Agency failed to properly notice Petitioner of any denial/reduction/termination of WFNJ/GA and SNAP benefits, and therefore, in accordance with the September 30, 2019, Settlement, the ALJ ordered the Agency to provide Petitioner with WFNJ/GA benefits for November 2019, and SNAP benefits for September, October, November 2019, unless and until such time as the Agency properly notices Petitioner of a denial, reduction, or termination of said benefits. See Initial Decision at 5-11; see also N.J.A.C. 10:90-9.1(a), (b), N.J.A.C.10:87-10.15(b)(1), and *Nolan v. Ho*, 120 N.J. 465, 472 (1990); see also N.J.A.C. 10:90-9.16(c) (stating that, "[i]f the decision results from mutual agreement of the parties at the hearing and disposition by settlement and withdrawal, the terms of settlement will be binding upon the parties"). I agree.

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.

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

Officially approved final version.

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Natasha Johnson

Assistant Commissioner

DEC 6 2019

