



*State of New Jersey*

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*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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TRENTON, NJ 08625-0716

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 01597-19 L.M.

AGENCY DKT. NO. C063030018 (SOMERSET COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits, and the termination of Emergency Assistance ("EA") and Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency denied Petitioner WFNJ/TANF benefits, contending that she is over the initial income eligibility limit for said benefits, terminated Petitioner's EA benefits because she was not a WFNJ benefits recipient, and terminated Petitioner's SNAP benefits, contending that she refused to provide required information. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 5, 2019, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On February 6, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were filed by Petitioner on February 8, 2019.

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.

Here, the ALJ found, and the record substantiates, that Petitioner's son receives \$500 per month in Retirement, Survivors and Disability Insurance ("RSDI") benefits which is nonexempt income, and countable for purposes of WFNJ/TANF eligibility. See Initial Decision at 2, 4; see also Exhibit R-1 at 15, and N.J.A.C. 10:90-3.9(b), and -3.19. The record also indicates that as of December 2018, Petitioner had earned income in the amount of \$517 bi-weekly. See Initial Decision at 4; see also Exhibit R-1 at 12-13. Based on the foregoing, Petitioner's total monthly household income is \$1,534, which exceeds the income eligibility limit of \$636 for an assistance unit of three, such as Petitioner's. See N.J.A.C. 10:90-3.1(a), -3.2(a), -3.3(b). Additionally, the record reflects that Petitioner also has monthly child support income that had not been reported to the Agency, and which was also not disclosed to the Agency, and that she may also have income from employment at a hair salon. See Initial Decision at 2, 4; see also Exhibit R-1 at 7-11, and N.J.A.C. 10:90-3.8(h), -3.9(b). Accordingly, the ALJ concluded



that the Agency's denial of WFNJ/TANF benefits to Petitioner was proper and must stand. See Initial Decision at 5. I agree.

Additionally, as the transmittal in this matter indicates that Petitioner appealed a termination of EA benefits, and because the ALJ concluded that Petitioner is ineligible for WFNJ/TANF benefits, I find that Petitioner is also ineligible for EA benefits. See Initial Decision at 3, 5; see also N.J.A.C. 10:90-6.2(a) (limiting eligibility for EA benefits to WFNJ and Supplemental Security Income ("SSI") benefits recipients). It also appears from the record that Petitioner is not an SSI benefits recipient.

By way of comment, the transmittal in this matter also indicates that Petitioner appealed a termination of SNAP benefits, which was not addressed by the ALJ in the Initial Decision. Therefore, if Petitioner still has an issue concerning a termination of SNAP benefits, she may request another fair hearing on that issue alone.

By way of further comment, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

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

Officially approved final version.

**FEB 13 2019**

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Natasha Johnson  
Director

