



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 05922-19 N.C.

AGENCY DKT. NO. C753945007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner WFNJ/GA benefits because Petitioner had failed to provide required documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 21, 2019, the Honorable Susana E. Guerrero, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On July 2, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, Petitioner, a permanent United States ("U.S.") resident, applied for WFNJ/GA benefits in November of 2018, but had not yet applied for U.S. citizenship. See Initial Decision at 2. As Petitioner had been receiving WFNJ/GA benefits for over six months in New York, the Agency requested written verification of Petitioner's citizenship application within 14 days. *Ibid.*; see also Exhibit R-3, and N.J.A.C. 10:90-2.2(a)(5), -2.3(a)(ii). Although Petitioner provided a flyer for an organization's intake program to begin the process of applying for citizenship, Petitioner submitted the flyer late, and did not supply the necessary written verification showing that an application had actually been completed and filed. See Initial Decision at 3, 5; see also Exhibit R-1 at 2. Therefore, the Agency denied Petitioner's application for WFNJ/GA benefits, effective April 25, 2019. See Initial Decision at 3; see also Exhibit R-4, and N.J.A.C. 10:90-2.2(a)(5), -2.3(a)(3)(iv). Petitioner testified that she had filed an application with an immigration lawyer; however, the lawyer did not submit the application for processing since Petitioner was unable to pay the requisite processing fee, and the organization would not waive the processing fee unless she was receiving welfare benefits, which she was not. See Initial Decision at 3; see also Exhibit P-1, R-1 at 4-6. The ALJ agreed with the Agency, finding that Petitioner had failed to make a reasonable effort to apply for citizenship, and did not demonstrate good cause for failure to provide the necessary documentation. See Initial Decision at 4-5; see also N.J.A.C. 10:90-2.2(a)(5), -2.3(a)(3)(iv), -2.10(a), (b). Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/GA benefits to Petitioner was proper and must stand. See Initial Decision at 6; see also Exhibit R-4. I agree.

No Exceptions to the Initial Decision were filed.



As the Director of the Division of Family Development, Department of Human Services, I have reviewed the record and the Initial Decision, and having made an independent evaluation of the record, I concur with the ALJ's Initial Decision, and hereby adopt the Findings of Fact and Conclusions of Law in this matter.

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

Officially approved final version.

AUG 1 2017

Natasha Johnson

Director

