



State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716

CAROLE JOHNSON  
*Commissioner*

SHEILA Y. OLIVER  
*Lt. Governor*

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 06043-19 R.C.

AGENCY DKT. NO. C314329007 (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, contending that, in accordance with applicable regulatory authority, he was precluded from eligibility because he had been convicted of distribution of a controlled dangerous substance ("CDS") within a school zone. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 4, 2019, the Honorable Ernest M. Bongiovanni, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On June 6, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects, and Petitioner admitted, that in 2007, he was convicted on two separate indictable offenses for possession and distribution of drugs in a school zone. See Initial Decision at 2-3; see also Exhibit R-2. Based on the foregoing, the ALJ found that regulatory authority prohibits the Agency from granting WFNJ/GA benefits to Petitioner. See Initial Decision at 3-4; see also N.J.A.C. 10:90-18.6(b)(1)(ii)(3). Accordingly, the ALJ concluded that Petitioner was ineligible for WFNJ/GA benefits, and that the Agency had properly denied Petitioner said benefits. See Initial Decision at 3-4; see also Exhibit R-1. 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.

By way of comment, Petitioner is advised that he may reapply for WFNJ benefits if, and when, the above referenced offenses are expunged, in accordance with applicable law. See Initial Decision at 4.

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



Officially approved final version. *JUL - 3 2013*

Natasha Johnson

Director

