



## State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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CAROLE JOHNSON  
*Commissioner*

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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 01636-20 J.W.

AGENCY DKT. NO. C220775009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits and the reduction of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's WFNJ/TANF benefits, contending that he no longer had an eligible child in the household, and reduced his SNAP benefits due to a change in the household income and household size. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On February 19, 2020, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The circumstances of the appeal were noted for the record.

On February 20, 2020, the ALJ issued an Initial Decision, dismissing Petitioner's appeal. Here, the ALJ found that Petitioner already had a fair hearing on the same subject matter as the present case, under OAL Docket No. HPW 12547-19. See Initial Decision at 2. Further, although the ALJ found that an Initial Decision in that prior matter was rendered on September 27, 2019, in favor of the Agency, I take official notice of the fact that an Initial Decision was actually rendered in favor of the Agency on November 21, 2019. Ibid. The ALJ also found that a Final Agency Decision ("FAD") on that prior matter, dated December 5, 2019, adopted ALJ Andrew M. Baron's November 21, 2019, Initial Decision, and affirmed the Agency's termination of WFNJ/TANF benefits and reduction of SNAP benefits. Ibid. In the current matter, the ALJ dismissed Petitioner's appeal, finding that the OAL no longer had jurisdiction over this matter, as it had already been heard and decided. Id. at 2-3. Further, the ALJ advised Petitioner that the proper forum to seek redress from the December 5, 2019, FAD is in the Superior Court of New Jersey, Appellate Division. Id. at 3. I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, 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, the transmittal in this matter indicates that Petitioner also appealed a reduction of SNAP benefits. However, at the time of the hearing Petitioner stated that he was no longer contesting the reduction of his SNAP benefits. Id. at 2. Therefore, Petitioner's SNAP issue is now moot, and not addressed in this FAD.

Accordingly, the Initial Decision in this matter is hereby ADOPTED, and Petitioner's appeal DISMISSED.

Officially approved final version.

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Natasha Johnson  
Assistant Commissioner

MAR - 3 2020

