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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 **00166-25 K.M.**

AGENCY DKT. NO. **S640715012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency denied Petitioner's WFNJ/TANF benefits, contending that her household's income exceeded the allowable eligibility level for receipt of such benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 18, 2025, the Honorable Nicole T. Minutoli, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On April 2, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were received from Petitioner on April 24, 2025.

As Assistant Commissioner, Division of Family Development ("DFD"), 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 determinations, based on the discussion below.

Pursuant to N.J.A.C. 10:90-3.2(a), in order to determine initial financial eligibility for WFNJ benefits for a new applicant, reapplicant or reopened case, "all countable income available to the assistance unit shall be considered and compared to the initial maximum allowable income levels for the appropriate eligible assistance unit size in Schedule I at N.J.A.C. 10:90-3.3." See also N.J.A.C. 10:90-3.1(b), -3.3(a). Further, "[i]f the assistance unit has income equal to or less than the initial maximum allowable income level for the appropriate unit size, then WFNJ/TANF initial financial eligibility exists." See N.J.A.C. 10:90-3.2(a). For an assistance unit of three, effective July 1, 2019, the maximum allowable income level is \$839, and for an assistance unit of four, the maximum allowable income level is \$966. See N.J.A.C. 10:90-3.3(a); see also DFD Informational Transmittal ("IT") No. 19-21.

Here, the record reflects that Petitioner applied for WFNJ/TANF benefits, on behalf of her household of three, on November 6, 2024, and that on November 14, 2024, a telephonic intake interview was conducted by the Agency, and a request for verification was sent to Petitioner. See Initial Decision at 2; see also Exhibits R-1, R-2. On December 2, 2024, Petitioner submitted various, though not all, requested documentation to the Agency. See Initial Decision at 2-3; see also Exhibits R-5, R-6, R-7, R-8, R-9. On December 6, 2024, the Agency sent Petitioner further notification requesting additional documentation, some of which had been previously requested, within ten days. See Initial Decision at 3; see also Exhibit R-4. On December 7, 2024, Petitioner submitted additional documentation, however, she did not verify deposits in Cash App for herself or her household member, J.C. See Initial Decision at 3. On December 11, 2024, Petitioner informed the Agency that she had given birth and was now an assistance unit of four, however, she did not, at that time, submit the information required to add her newborn child to her application. See Initial Decision at 4; see also Exhibit P-1. Upon receipt of all the documentation submitted by Petitioner, the Agency calculated Petitioner's income



from Facebook/Meta, however, the Agency was unable to determine if the income was from Petitioner selling goods she was producing herself, or selling items; therefore, the Agency did not apply the self-employment disregard of 51% to the \$47 of income. See Initial Decision at 4; see also Exhibit R-5. The Agency also reviewed paystubs for J.C. and calculated a monthly gross income for him from the two paystubs submitted. See Initial Decision at 4; see also Exhibit R-7. The Agency also considered additional income for J.C. from Uber. See Initial Decision at 5; see also Exhibit R-7. The Agency further calculated Petitioner and J.C.'s monthly gross income from unverified deposits. See Initial Decision at 5; see also Exhibits R-8, R-9. After all calculations were completed, the Agency found the assistance unit's gross monthly income to be \$1,009, which exceeded the WFNJ/TANF income limit for an assistance unit of three of \$839, which made Petitioner's household ineligible for WFNJ/TANF benefits. See Initial Decision at 5; see also Exhibit R-10, and N.J.A.C. 10:90-3.1(a), (b), -3.2(a), -3.3(a), and DFD IT No. 19-21. The Agency also considered the unverified Cash App income and calculated the household's gross monthly income to be \$1,211.04, which also exceeded the WFNJ/TANF income limit. Ibid. On December 16, 2024, the Agency notified Petitioner that her WFNJ/TANF application was denied, as her assistance unit's income exceeded the limit for benefits. See Initial Decision at 5; see also Exhibit R-11. On December 18, 2024, Petitioner submitted the necessary documentation to add a newborn child to her assistance unit; the Agency recalculated the assistance unit's income, and determined that the assistance unit's monthly gross income of exceeded the income limit of \$966 for a assistance unit of four. See Initial Decision at 6; see also Exhibit R-10.

Petitioner contends that the Agency incorrectly calculated her Facebook/Meta income by not applying the self-employment disregard and that the Agency miscalculated J.C.'s income by averaging paychecks to determine gross monthly income. See Initial Decision at 6. The ALJ found that Petitioner failed to verify the source of her income from Facebook/Meta and therefore the Agency was unable to determine Petitioner's income to be self-employment and apply the standard self-employment deduction. See Initial Decision at 6-7. The ALJ further found that the Agency properly calculated J.C.'s income in accordance with N.J.A.C. 10:90-3.11(a) and properly utilized the income information available at the time of the application for benefits. See Initial Decision at 7. Based on the foregoing, the ALJ concluded that Petitioner's total household income was correctly calculated by the Agency, that the household's income exceeded the allowable maximum income level for a family of three, as well as a family of four, and that the Agency's denial of Petitioner's WFNJ/TANF benefits was proper and must stand. See Initial Decision at 7. I agree.

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, Petitioner is without prejudice to reapply for WFNJ/TANF benefits, as appropriate, should her circumstances have changed.

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 determination is AFFIRMED, as outlined above.

Officially approved final version. May 16, 2025

Natasha Johnson
Assistant Commissioner

