



State of New Jersey

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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 13325-25 K.S.

AGENCY DKT. NO. **S443868014 (MORRIS CO. OFFICE OF TEMP ASSISTANCE)**

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF"), and Emergency Assistance ("EA"), benefits. The Agency terminated Petitioner's WFNJ/TANF benefits because her household income was over the maximum benefit level for continued eligibility, and terminated Petitioner's EA benefits because she was no longer a WFNJ benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. The hearing was initially scheduled for September 4, 2025, at which time it was adjourned at the request of Petitioner and rescheduled to September 11, 2025. On September 11, 2025, the Honorable Susana E. Guerrero, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. Following the hearing, the record was reopened on September 25, 2025, to allow for additional testimony by the Agency, and then the record was closed. On October 6, 2025, the ALJ issued an Initial Decision, affirming the Agency's determinations.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, the Initial Decision is hereby ADOPTED and the Agency's determinations are AFFIRMED, based on the discussion below.

Pursuant to N.J.A.C. 10:90-3.1(c), once initial financial eligibility for WFNJ/TANF is found to exist, financial eligibility continues to exist so long as the total countable income of the WFNJ/TANF, AU (with benefit of the appropriate disregards at N.J.A.C. 10:90-3.8 for earned income) is less than the maximum benefit payment level for the appropriate eligible AU size in accordance with Schedule II at N.J.A.C. 10:90-3.3(b). For an assistance unit of 3, the maximum allowable benefit level is \$559. Ibid.

Here, the record reflects that Petitioner's assistance unit ("AU") consists of herself and two dependent children. See Initial Decision at 2. Petitioner's AU was receiving \$559 a month in WFNJ/TANF benefits until July, 2025, when the Agency received notification that one of the non-custodial parents of Petitioner's children had made additional child support payments in order to come into compliance with their child support obligation. See Initial Decision at 2-3. A review of the child support payments, after the appropriate child support disregard, indicated that one non-custodial parent was contributing \$646 per month and the other non-custodial parent was contributing \$400 per month, which brought the monthly household income to \$1,046, which exceeded the maximum benefit level of \$559 per month allowable for WFNJ/TANF benefits for an AU of three. See Initial Decision at 3; see also Exhibit R-1, and N.J.A.C. 10:90-3.1(c), -3.3(b), -3.8(b), (h)(4), and DFD Informational Transmittal ("DFD IT") No. 19-21, DFD IT No. 25-02, and DFD Instruction ("DFDI") 21-12-02. Thereafter, the Agency issued notification to Petitioner on July 9, 2025, that her WFNJ/TANF case would be



closed due to the amount of child support received exceeding the WFNJ/TANF benefit amount. See Initial Decision at 2-3. On July 15, 2025, the Agency further terminated Petitioner's EA benefits, effective September 1, 2025, due to her no longer being a WFNJ benefits recipient. See Initial Decision at 3; see also N.J.A.C. 10:90-6.2(a).

Based on the foregoing, the ALJ concluded that Petitioner is ineligible for WFNJ/TANF benefits because her household income exceeds the maximum benefit eligibility level, and that Petitioner is ineligible for EA benefits because she is no longer a WFNJ benefits recipient. See Initial Decision at 4-5; see also N.J.A.C. 10:90-3.3(b), -3.8(b), (h), -6.2(a) (limiting eligibility for EA benefits to WFNJ and Supplemental Security Income ("SSI") benefits recipients). Accordingly, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/TANF and EA benefits was proper and must stand. See Initial Decision at 4-5; see also Exhibit R-1. I agree.

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

Officially approved final version. November 07, 2025

Natasha Johnson
Assistant Commissioner

