



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

SARAH ADELMAN
Commissioner

TAHESHA L. WAY
Lt. Governor

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 12648-24 K.W.

AGENCY DKT. NO. C177186003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals from Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") and Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's WFNJ/GA benefits, contending that she failed to provide proof that she had applied for Supplemental Security Income ("SSI") benefits, and terminated Petitioner's EA benefits because she was not a WFNJ or SSI benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 18, 2024, the Honorable Kimberly M. Wilson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open to allow for supplemental submissions, and then closed on December 5, 2024.

On December 24, 2024, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the ALJ in this matter issued a very thorough and comprehensive Initial Decision, outlining the procedural history, providing a detailed factual timeline, and rendering a well thought out analysis, applying law to fact. See Initial Decision at 2-8. Specifically, the ALJ found Petitioner credible when she testified that she had not received a letter from the Agency, dated January 31, 2024, advising her that she was required to apply for SSI and provide the Agency with proof of such application. See Initial Decision at 3, 5-6; see also Exhibit R-1 at A-1. The ALJ also found that the Agency had failed to prove by a preponderance of the credible evidence, that it had actually sent the January 31, 2024, letter to Petitioner, and had sent it to the correct address. See Initial Decision at 3-7; see also Exhibit R-1 at A-1. Moreover, the ALJ found, and the Agency admitted, that it had not attempted to contact Petitioner regarding the requested documentation, prior to its termination of Petitioner's WFNJ/GA benefits for failure to apply for SSI, and provide proof of same. See Initial Decision at 4-6; see also Exhibit R-1 at E-16 through 19. Accordingly, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/GA benefits was improper and must be reversed. See Initial Decision at 7-8; see also Exhibit R-1 at E-16 through 19, and N.J.A.C. 10:90-2.2(a)(3), (5). I agree.

Additionally, based on the above conclusion, the ALJ found that the Agency's termination of Petitioner's EA benefits, on the basis that she was not a WFNJ or SSI benefits recipient, was also improper and must be reversed. See Initial Decision at 8; see also R-1 at E-16 through 19. I also agree. Further, the record reflects that Petitioner had received 12-months of EA benefits, and as such, she has exhausted her lifetime limit of EA benefits. See R-1 at D-15; see also N.J.A.C. 10:90-6.4(a). Accordingly, the ALJ directed the Agency to evaluate Petitioner for continued EA benefits, which it had not done due to its termination of EA benefits based on the aforementioned basis. See Initial Decision at 8; see also N.J.A.C. 10:9-6.4(b). I also agree.

Exceptions to the Initial Decision were filed by the Agency on January 6, 2025.



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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, I have reviewed the Agency's Exceptions and 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 REVERSED.

Officially approved final version. February 20, 2025

Natasha Johnson
Assistant Commissioner

