



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 17790-24 M.B.

AGENCY DKT. NO. C048719018 (SOMERSET COUNTY BOARD OF SOC. SVCS.)

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 because her unearned income exceeds the allowable eligibility benefit level for receipt of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 28, 2025, the Honorable Kimberly M. Wilson, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On February 13, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

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, I hereby ADOPT the Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Initial financial eligibility for Work First New Jersey ("WFNJ") benefits is determined based upon the assistance unit's countable income, both earned and unearned, as well as countable resources. See N.J.A.C. 10:90-3.1(a). If a WFNJ/GA assistance unit (hereinafter "AU") has income that is equal to or less than the maximum allowable income or benefit level, then initial financial eligibility exists. See N.J.A.C. 10:90-3.1(b), -3.5(a), -3.6(a). Effective July 1, 2019, the maximum allowable income level for an employable WFNJ/GA assistance unit that consists of one individual is \$278 per month. See N.J.A.C. 10:90-3.5(a); see also DFD Informational Transmittal ("IT") No. 19-21.

Pursuant to N.J.A.C. 10:90-3.1(c), once initial financial eligibility for WFNJ/GA is found to exist, financial eligibility continues to exist so long as the total countable income of the WFNJ/GA assistance unit ("AU") (with benefit of the appropriate disregards at N.J.A.C. 10:90-3.8(b) for earned income) is less than the maximum benefit payment level for the appropriate eligible AU size in accordance with Schedule IV at N.J.A.C. 10:90-3.5(b). For an employable assistance unit of one, the maximum allowable benefit level is \$185. *Ibid.*; see also DFD Informational Transmittal ("DFD IT") No. 19-21.

Here, the record reflects that on November 4, 2024, Petitioner applied for WFNJ/GA benefits. See Initial Decision at 2; see also Exhibit R-1 at 8-19. Within the application, Petitioner indicated that she received \$250 monthly financial assistance from her sister to pay her expenses. *Id.* at 2, 3; see also Exhibit R-1 at 12, 20. As the financial resources provided by Petitioner's sister exceed the maximum allowable benefit level amount for WFNJ/GA eligibility, by notice dated November 20, 2024, the Agency denied Petitioner's application for WFNJ/GA benefits. See Initial Decision at 2,3; see also Exhibits R-1 at 2-7, and DFD IT 19-21. The ALJ in this matter found that, while that Petitioner's monthly unearned income, or \$250, met the initial test for WFNJ/GA eligibility, nonetheless that income exceeds the monthly



maximum allowable benefit amount of \$185 for an employable WFNJ/GA benefits applicant such as Petitioner. See Initial Decision at 5; see also N.J.A.C. 10:90-3.4, -3.5(a), (b). Accordingly, the ALJ concluded that the Agency's denial of WFNJ/GA benefits to Petitioner was proper and must stand. See Initial Decision at 5-6. I agree.

By way of comment, should Petitioner's circumstances change, she is without prejudice to reapply for WFNJ/GA benefits.

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

Officially approved final version. March 27, 2025

Natasha Johnson
Assistant Commissioner

