



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 **01056-25 N.R.**

AGENCY DKT. NO. **C039622021 (WARREN CO. DIV TEMP ASST & SOC. SVCS)**

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 benefits level for continued eligibility, and terminated Petitioner's EA benefits because she was no longer a WFNJ/TANF benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 17, 2025, the Honorable Kelly J. Kirk, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On January 21, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner's assistance unit ("AU") consists of herself and four dependent children. See Initial Decision at 2; see also Exhibit R-1. Petitioner's AU was receiving \$728 a month in WFNJ/TANF benefits until such time as Petitioner reported receiving child support payments calculated at the monthly amount of \$1,009.37 which, after the appropriate \$200 child support disregard was applied, brought the monthly household income of \$809.37 over the maximum benefit level of \$728 per month allowable for WFNJ/TANF benefits for an AU of five. See Initial Decision at 4; see also Exhibit TANF-C, TANF-D, and N.J.A.C. 10:90-3.1(c), -3.3(b), -3.8(h)(4), and DFD Informational Transmittal ("DFDIT") No. 19-21, DFDIT No. 25-02, and DFD Instruction ("DFDI") 21-12-02. Accordingly, the Agency terminated Petitioner's WFNJ/TANF benefits. See Initial Decision at 2; see also Exhibit TANF-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 2-5; see also N.J.A.C. 10:90-3.3(b), -3.8(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 Exhibits TANF-A, and EA-2. 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.

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



Officially approved final version.

January 28, 2025

Natasha Johnson

Assistant Commissioner

