



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 **16720-25 A.H.**

AGENCY DKT. NO. **C240226013 (MONMOUTH COUNTY DIV. OF SOC. SVCS)**

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency terminated Petitioner's WFNJ/GA benefits because his total monthly income exceeded the maximum allowable income amount for receipt of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 6, 2026, the Honorable Kim C. Belin, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents into evidence, and the record then closed. The record was reopened on February 17, 2026, to obtain additional documentation, and closed again on March 2, 2026. On March 12, 2026, 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, the ALJ's Initial Decision is hereby **ADOPTED** and the Agency's determinations are **AFFIRMED**, based on the discussion below.

Financial eligibility for WFNJ benefits is determined based upon the assistance unit's ("AU") countable income, both earned and unearned, as well as countable resources. See N.J.A.C. 10:90-3.1(a). Pursuant to N.J.A.C. 10:90-3.1(c), once initial financial eligibility for a WFNJ/GA benefits recipient is found to exist, financial eligibility continues to exist so long as the total countable income of the WFNJ/GA AU, with benefit of the appropriate disregards set forth in N.J.A.C. 10:90-3.8 for earned income, if applicable, 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). Effective July 1, 2019, the benefit level for an employable WFNJ/GA AU, consisting of one person, is \$185 per month. See N.J.A.C. 10:90-3.5(b); see also DFD Informational Transmittal ("IT") No. 19-21. The total countable income of an unemployable single adult, or couple without dependent children, must be equal to or less than the maximum benefit payment level for the size of the assistance unit as set out in Schedule V at N.J.A.C. 10:90-3.6(a). See N.J.A.C. 10:90-3.1(b)(1). Effective July 1, 2019, the maximum benefit level for an unemployable WFNJ/GA AU, consisting of one person, is \$277 per month. See N.J.A.C. 10:90-3.6(a); see also DFD IT No. 19-21.

Here, an independent review of the record reflects that Petitioner was receiving WFNJ/GA benefits and completed a redetermination application on August 11, 2025, which included the submission of bank statements that reflected a change in his income. See Initial Decision at 2; see also Exhibits R-2, P-3, P-4. Based upon the bank statements submitted to the Agency, from June 18, 2025 through July 21, 2025, Petitioner received nine Zelle payments and three ATM deposits which totaled \$887.33, and from July 29, 2025 through August 22, 2025, Petitioner received four Zelle



payments and two ATM deposits which totaled \$570. Ibid. An August 4, 2025, a letter from Petitioner's mother to the Agency confirmed that he resides with his mother and is not financially responsible for living or utility payments. See Initial Decision at 2; see also Exhibits P-5, P-6. On August 20, 2025, upon review of the redetermination application, the Agency closed Petitioner's WFNJ/GA case, effective August 1, 2025, as it was determined Petitioner's monthly income exceeded the maximum allowable income amount for continued eligibility for WFNJ/GA benefits. See Initial Decision at 3; see also Exhibit R-7.

On August 26, 2025, Petitioner submitted a letter explaining the deposits and financial transactions stating that he was provided monies in exchange for running errands for family members and friends, which Petitioner further testified to at the time of the hearing. See Initial Decision at 3; see also Exhibit P-2.

At the time of the hearing, there appeared to be a discrepancy regarding whether or not Petitioner was receiving WFNJ/GA benefits at the employable rate or unemployable rate, however, in either case, the Agency representatives testified that, upon receipt of Petitioner's bank statements, his WFNJ/GA benefits were terminated due to the amounts he was receiving from family and friends exceeding the maximum income benefits levels for continued eligibility for benefits. See Initial Decision at 3-4.

Based on the foregoing, the ALJ concluded that, pursuant to N.J.A.C. 10:90-3.9(b), income includes "other sources that may be construed or defined as income," which, in the instant matter included Zelle payments and ATM deposits made to Petitioner. See Initial Decision at 7-9. Specifically, in reviewing Petitioner's bank records, the ALJ found that the notations indicated for various Zelle payments, and ATM deposits, had no corresponding withdrawals for specified items or payments. See Initial Decision at 9. Accordingly, the ALJ found that the Agency had met its burden of showing by a preponderance of the credible evidence that the monies received by Petitioner from his family and friends constituted income and not reimbursement payments, and the ALJ agreed that the Agency's termination of Petitioner's WFNJ/GA benefits was proper and must stand. See Initial Decision at 10. I agree.

By way of comment, at the time of the hearing Petitioner testified that he is no longer able to provide any services or assistance to family and friends and thus that he is not receiving any payments similar to those evidenced on his prior bank statements. Petitioner is without prejudice to reapply for WFNJ/GA benefits, should his circumstances have changed. Petitioner is advised to communicate directly with the Agency with regards to the application and any required documentation.

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

Officially approved final version. April 30, 2026

Natasha Johnson
Assistant Commissioner

