



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 15436-25 I.J.

AGENCY DKT. NO. C188988003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner challenges the correctness of the Respondent Agency's claim for recovery of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency asserts that Petitioner received WFNJ/GA benefits to which he was not entitled, as the result of a failure to report a change in his unearned income in the form of Supplemental Security Income ("SSI") benefits, resulting in an overissuance of WFNJ/GA benefits which must be repaid. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 24, 2025, the Honorable Jeffrey N. Rabin, Administrative Law Judge ("ALJ,") held a plenary hearing, took testimony, admitted documents into evidence, and the record was closed. On December 3, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were filed.

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 ALJ's Initial Decision, and AFFIRM the Agency action, based on the discussion below.

Eligibility for WFNJ/GA benefits is determined by examining an applicant's income (both earned and unearned) and resources (both countable and exempt); an applicant must report all income received by every household member and the applicant maintains the duty to report any changes in household circumstances. See N.J.A.C. N.J.A.C. 10:90-1.13, -3.1, -3.3, -3.4, -3.9, -3.10, -3.19, -3.20.

In order to be eligible for Work First New Jersey/General Assistance ("WFNJ/GA") benefits, the total countable income of the 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 Informational Transmittal ("IT") No. 19-21.

Under the WFNJ regulations, a recipient is required to satisfy any repayment obligation pursuant to state or Federal law governing public assistance. See N.J.A.C. 10:90-2.2(a)(7). An overpayment of WFNJ benefits, including Emergency Assistance benefits, is subject to recoupment, "regardless of fault, including overpayments caused by administrative action or inaction and overpayments resulting from assistance paid pending hearing decisions." See N.J.A.C. 10:90-3.21(a)(1).



Here, the record reflects that Petitioner, a one-person assistance unit, was receiving WFNJ/GA cash benefits, based on no income. See Initial Decision at 2. In June, 2025, the Agency discovered that Petitioner had begun to receive monthly SSI benefits in March, 2025, which Petitioner never reported to the Agency. See Initial Decision at 2; see also Exhibits R-A, R-B, R-C, R-D, and R-E. Based upon such information, the Agency determined that Petitioner's WFNJ/GA benefits should have been terminated for excess income exceeding the maximum benefit level for continued eligibility. See Initial Decision at 2-3; see also Exhibits R-B, R-C, R-D, and R-E, N.J.A.C. 10:90-3.6(a), and DFD Informational Transmittal 19-21. The Agency calculated the overpayment of benefits to be \$369.97 of WFNJ/GA benefits, and demanded repayment of same from Petitioner. See Initial Decision at 2-3; see also Exhibits R-C, R-D.

The ALJ in this matter found that the Agency had met its burden in establishing, by a preponderance of the credible evidence, that Petitioner had received an overissuance of WFNJ/GA benefits to which he was not entitled. See Initial Decision at 3-4. Specifically, the ALJ found that Respondent had failed to report unearned income in the form of SSI benefits, which resulted in an overissuance of WFNJ/GA benefits to Petitioner in the total amount of \$369.97, for the period of May and June, 2025. Ibid.; see also Exhibits R-C, R-D, and N.J.A.C. 10:90-3.21(a)(1). Based on the evidence presented, the ALJ concluded that Petitioner received an overissuance of WFNJ/GA benefits to which he was not entitled, which must be repaid, and as such, affirmed the Agency's demand for repayment of the overissued benefits. See Initial Decision at 4. I agree.

I ORDER and direct that the Agency proceed to recoup the overissuance.

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

Officially approved final version. January 13, 2026

Natasha Johnson
Assistant Commissioner

