



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 13290-25 J.R.

AGENCY DKT. NO. C077273003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance to Needy Families ("WFNJ/TANF") benefits. The Agency denied Petitioner's application for WFNJ/TANF benefits for failure to provide information necessary to determine eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 3, 2025, the Honorable Joan M. Burke, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On November 21, 2025, the ALJ issued an Initial Decision, reversing the Agency's determination.

Exceptions to the Initial Decision were received from the Agency on November 26, 2025.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision and I hereby ADOPT the Initial Decision, REVERSE the Agency's determination and REMAND the matter to the Agency for further action, based on the discussion below.

"A permanent residence is not an eligibility requirement. If an applicant expresses an intent to reside in the county or municipality, by providing verification of residence or by affirmatively stating his or her intent to reside in the jurisdiction, for purposes of WFNJ eligibility, the applicant shall be deemed to be a resident of such county and/or municipality." See N.J.A.C. 10:90-2.12(c) (emphasis added).

Here, Petitioner applied for WFNJ/TANF benefits on January 2, 2025, and on January 3, 2025, the Agency sent Petitioner a Request for Verification indicating that in order to process her application for benefits, Petitioner would need to submit several enumerated items. See Initial Decision at 4; see also Exhibits R-A, R-B. On July 5, 2025, the Agency denied Petitioner's application for WFNJ/TANF benefits due to her failure to provide verification of residency. See Initial Decision at 4; see also Exhibit R-C. In addition, the denial stated that Petitioner needed to provide verification of schools for her children including the school's name and grade for each child. Ibid.

A review of the WFNJ/TANF application submitted by Petitioner reveals that she indicated she was homeless at the time of her application and "escaping domestic violence." See Initial Decision at 4; see also Exhibit R-A. Petitioner did provide a post office box address within her application, for mailing purposes, but did not provide a physical address within the application, although notably, the post office is located in a town in Burlington County. Ibid.; see also Exhibit R-B.

Regulatory authority requires that, in order to be eligible for WFNJ/TANF benefits, applicants must provide all necessary documentation to be considered for benefit eligibility. See Initial Decision at 4; see also N.J.A.C. 10:90-2.2. Based upon Petitioner's assertion that she was homeless, as well as that Petitioner informed the Agency that she was fleeing domestic



violence within her application, the ALJ found good cause for Petitioner's failure to comply with the Agency's request for information. See Initial Decision at 2,4. Additionally, the ALJ concluded that the Agency never requested information regarding Petitioner's children's schools or grades until July 5, 2025, within the denial notification. See Initial Decision at 4. Based on the foregoing, the ALJ concluded that the Agency should process the application, as submitted, in order to determine Petitioner's eligibility for WFNJ benefits. See Initial Decision at 5. I agree, and further note that, as stated above, Petitioner need only affirmatively state an intent to reside in the county. See N.J.A.C. 10:90-2.12(c). As also referenced above, the post office where Petitioner receives her mail is in a town located in Burlington County, further supporting an intent to reside in the county, and as such, I find that Petitioner has affirmatively stated an intent to reside in the county, thereby meeting the residency requirement under N.J.A.C. 10:90-2.12(c). As such, I am remanding this matter to the Agency for action, and direct that the Agency process Petitioner's application, and if approved, provide Petitioner with retroactive benefits. See N.J.A.C. 10:90-9.16(c).

By way of comment, I have reviewed the Exceptions submitted by the Agency and find that the arguments made therein do not alter my decision in this matter.

Accordingly, the Initial Decision is ADOPTED, the Agency's determination is REVERSED, and the matter is REMANDED to the Agency for action, as outlined above.

Officially approved final version. January 13, 2026

Natasha Johnson
Assistant Commissioner

