



## State of New Jersey

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*Governor*

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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 21703-25 X.M.

AGENCY DKT. NO. C103693018 (SOMERSET COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency denied Petitioner's application for WFNJ/TANF benefits contending that her monthly child support payments ("CSP"), and unearned income, put her income above the allowable WFNJ/TANF benefit eligibility level. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 29, 2025, the Honorable Rebecca C. Lafferty, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On December 30, 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 reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Pursuant to N.J.A.C. 10:90-3.2(a), in order to determine initial financial eligibility for WFNJ benefits for a new applicant, reapplicant or reopened case, "all countable income available to the assistance unit shall be considered and compared to the initial maximum allowable income levels for the appropriate eligible assistance unit size in Schedule I at N.J.A.C. 10:90-3.3." See also N.J.A.C. 10:90-3.1(b). Further, "[i]f the assistance unit has income equal to or less than the initial maximum allowable income level for the appropriate unit size, then WFNJ/TANF initial financial eligibility exists." See N.J.A.C. 10:90-3.2(a). For an assistance unit of three, effective January 1, 2019, the maximum allowable income level is \$839. See N.J.A.C. 10:90-3.3(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/TANF is found to exist, financial eligibility continues to exist so long as the total countable income of the WFNJ/TANF assistance unit (with benefit of the appropriate disregards at N.J.A.C. 10:90-3.8 for earned and unearned income) is less than the maximum benefit payment level for the appropriate eligible AU size in accordance with Schedule II at N.J.A.C. 10:90-3.3(b). For an assistance unit of three, the maximum allowable benefit level is \$559. Ibid.; see also DFD IT 19-21.

In accordance with N.J.A.C. 10:90-3.9(b), child support payments received are considered income for purposes of determining WFNJ/TANF benefits eligibility. N.J.A.C. 10:90-3.8(h) permits for up to \$200 disregard of child support income in determining initial eligibility for WFNJ/TANF benefits and cash assistance benefits computation "provided that the total amount of child support received for that month is less than the monthly WFNJ grant amount." See also DFD Instruction ("DFDI") 23-12-02; see also DFD IT 25-02.



The ALJ in this matter issued a very thorough and comprehensive Initial Decision, outlining the procedural history, providing a detailed factual timeline, and rendering a well thought out analysis, applying law to fact. Here, the record reflects that Petitioner applied for WFNJ/TANF benefits on October 25, 2025, on behalf of her assistance unit ("AU") which consists of herself and two minor dependent children. See Initial Decision at 2; see also Exhibit R-1 at 3. On November 26, 2025, the Agency denied Petitioner's application, indicating that Petitioner receives \$170 per week in court ordered child support, which, following the appropriate disregard, accounts for \$537 per month in court-ordered child support. See Initial Decision at 2; see also Exhibit R-1 at 15-17. In addition, based upon the bank statements submitted by Petitioner, she received financial support from family and friends which averaged \$300 per month. See Initial Decision at 3; see also Exhibits P-1, P-2, R-1 at 18-30. Further, Petitioner receives direct/informal child support payments which averaged \$203 per month. See Initial Decision at 3; see also Exhibit R-1 at 18-30. Using these calculations, the ALJ found that Petitioner's gross monthly income totals \$1,040 consisting of \$537 per month in court ordered child support, plus \$203 in informal child support, plus \$300 in financial support from family and friends ( $\$537 + \$230 + \$300 = \$1,040$ ). See Initial Decision at 4. At the time of the hearing, Petitioner testified that the informal child support and financial support reflected in her bank account are irregular and inconsistent. *Ibid.*

Based on the foregoing, the ALJ concluded that Petitioner is ineligible for WFNJ/TANF benefits, and as such, the Agency's denial of Petitioner's application for WFNJ/TANF benefits was proper and must stand, as the Petitioner's monthly income exceeds the initial eligibility threshold amount of \$839. See Initial Decision at 4-6; see also N.J.A.C. 10:90-3.1(c), -3.3(b), -3.8(h). I agree.

By way of comment, the transmittal in this matter included reference to an Emergency Assistance ("EA") denial, however, the ALJ noted that Petitioner confirmed that no application for EA benefits was ever made, and thus there was no adverse action to appeal regarding EA benefits. See Initial Decision at 2. Therefore, that issue was not addressed within the Initial Decision, nor it is addressed within this Final Agency Decision.

By way of further comment, should Petitioner have a change in her circumstances, including in her household's earned or unearned income, she may reapply for WFNJ/TANF benefits.

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

Officially approved final version. January 15, 2026

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Natasha Johnson  
Assistant Commissioner

