



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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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 16119-14 A.O.

AGENCY DKT. NO. C122352 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's termination of both his Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") and Emergency Assistance ("EA") benefits, and reduction of his Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits. The Agency terminated Petitioner's WFNJ/TANF and EA benefits, and reduced Petitioner's SNAP benefits, due to reported unearned income. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 22, 2015, the Honorable Kelly J. Kirk, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On January 28, 2015, the ALJ issued her Initial Decision affirming the Agency's termination of Petitioner's WFNJ/TANF and EA benefits. The ALJ noted that the recently reported receipt of Retirement, Survivors and Disability Insurance ("RSDI") by Petitioner's family resulted in rendering the family no longer eligible to receive WFNJ/TANF benefits, as the unearned income exceeded the maximum benefit level. See Initial Decision at 2. Additionally, as only WFNJ and Supplemental Security Income ("SSI") recipients are eligible to receive EA benefits, Petitioner and his family were no longer eligible to receive these benefits as well. See *id.* at 3. As such, the ALJ affirmed the Agency's termination of WFNJ/TANF and EA benefits. See *id.* at 3-4. In regards to the reduction of Petitioner's SNAP benefits, the ALJ indicated that the Agency had reversed its determination, subsequent to the notice of the reduction, thereby rendering the issue moot. See *id.* at 4.

No exceptions to the Initial Decision were filed.

As Director of the Division of Family Development, Department of Human Services, I have reviewed the record for this matter and the ALJ's Initial Decision. Following an independent evaluation of the record, I concur with the ALJ's decision in this matter and I hereby accept and adopt the Findings of Fact and Conclusions of Law as contained in the Initial Decision.

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

FEB 17 2015

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director