



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 5685-15 J.M.

AGENCY DKT. NO. GA520668 (CUMBERLAND COUNTY BD OF SOC SVCS.)

Petitioner appeals from the Respondent Agency's denial of her Work First New Jersey/General Assistance ("WFNJ/GA") benefits at the time of recertification. The Agency terminated Petitioner's WFNJ/GA benefits due to excess income from the Agency's determination of her household composition. Because the Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 27, 2015, the Honorable W. Todd Miller, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On May 29, 2015, the ALJ issued his Initial Decision, affirming the Agency's denial of Petitioner's recertification of WFNJ/GA benefits. The ALJ found that the evidence presented by the Agency clearly established that Petitioner resided with a boyfriend and functioned as a single economic unit for two years. *Id.* at 4. Petitioner's boyfriend is currently a Social Security Disability ("SSD") recipient in the amount of \$1519.00 per month, which is over the GA limit. *Id.* at 2.

Exceptions to the Initial Decision were filed by Petitioner, on June 4, 2015.

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

By way of comment, the Exceptions include documents not entered into evidence before the ALJ, in contravention of N.J.A.C. 1:1-18.4(c) ("Evidence not presented at the hearing shall not be submitted as part of an exception, nor shall it be incorporated or referred to within exceptions."). The document in question has been transcribed by Petitioner's paramour, who did not testify at the hearing and therefore cannot be considered in this decision. Notwithstanding, I have reviewed the exception and find that it does not alter the findings of fact and conclusions of law outlined by the ALJ in the Initial Decision.

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

JUN 09 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director