



## State of New Jersey

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*Governor*

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 13127-23 R.C.

AGENCY DKT. NO. **S446285002 (BERGEN COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency denied Petitioner's application for SNAP benefits, contending that Petitioner did not maintain a separate household. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A telephonic hearing was initially scheduled for February 6, 2024, but was adjourned at the request of Petitioner's sibling, who said that Petitioner would not be available that day. On the rescheduled date of February 22, 2024, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ," ) held a telephonic plenary hearing, took testimony, admitted documents into evidence, and the record then closed.

On February 23, 2024, the ALJ issued an Initial Decision, affirming the Agency's termination of Petitioner's SNAP benefits. The record reflects that on October 10, 2023, Petitioner applied for SNAP benefits. See Initial Decision at 2; see also Exhibit R-6. In support of Petitioner's application for SNAP benefits, Petitioner's sibling, L.S., provided a Living Arrangement Form, in which she certified, among other items, that Petitioner resides with L.S., and Petitioner's food is not prepared and purchased separately. See Initial Decision at 2; see also Exhibit R-2, and N.J.A.C. 10:87-2.2(a)(2) (i). On October 16, 2023, the Agency denied Petitioner's application for SNAP benefits, as it determined that Petitioner did not maintain a separate household from L.S. See Initial Decision at 2; see also Exhibits R-2, R-3, and N.J.A.C. 10:87-2.2. Based on the evidence presented, the ALJ concluded that Petitioner lives with L.S., who provides Petitioner with various necessities, including food, which causes Petitioner to be ineligible for SNAP benefits based upon Petitioner's household and living arrangements. See Initial Decision at 3; see also N.J.A.C. 10:87-2.2(a). Accordingly, the ALJ affirmed the Agency's action denying Petitioner's application for SNAP benefits. See Initial Decision at 4; see also Exhibit R-3. I agree.

Exceptions to the Initial Decision were filed on behalf of Petitioner on March 5, 2024.

As Assistant Commissioner, 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 adopt the Findings of Fact and Conclusions of Law as contained in the Initial Decision.

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

By way of further comment, Petitioner is without prejudice to reapply for SNAP benefits should her circumstances change.



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

Officially approved final version. April 16, 2024

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Natasha Johnson  
Assistant Commissioner

