



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 11603-23 W.B.

AGENCY DKT. NO. C123331001 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)

Petitioner appeals the Respondent Agency's termination of her Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's SNAP benefits, because she failed to accurately report her household composition. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 5, 2024, the Honorable Catherine A. Tuohy, Administrative Law Judge ("ALJ,") held a telephonic plenary hearing, took testimony, and admitted documents. The record remained open to allow both parties to submit additional documents, and then closed on February 12, 2024. On February 16, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were filed by either party.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision and following an independent review of the record, I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency action.

Every SNAP application shall be made on behalf of a household. See N.J.A.C. 10:87-2.1. It is critically important to determine exactly who comprises the SNAP household, since all considerations of eligibility will follow from this initial determination. *Ibid.*

Here, the record reflects that in March, 2023, Petitioner, a SNAP benefits recipient, completed an Interim Reporting Form ("IRF"), and reported that she had given birth to a child, which had increased the size of her household to four people, now comprised of herself and three children. See Initial Decision at 2; see also Exhibit R-1 at 32-34. Petitioner also reported in the March, 2023, IRF, that she had been on maternity leave since December, 2022, and was not working, and therefore, had no household income. *Ibid.* On July 26, 2023, the Agency requested that Petitioner provide an update regarding her work status, her household income, and advise whether the father of the children lived in the home. See Initial Decision at 2; see also Exhibit R-1 at 30. Petitioner did not provide the requested information. See Initial Decision at 2.

On July 28, 2023, an Agency investigator visited Petitioner's home, and confirmed that M.L., the father of Petitioner's children, resided in the same household as Petitioner. See Initial Decision at 3; see Exhibits R-1 at 31, R-2. On August 2, 2023, the investigator visited the address that Petitioner gave as M.L.'s home address, and discovered that the home was vacant, with no window coverings and furnishings inside. *Ibid.* The investigator concluded that the M.L. did not live at that address, and did, in fact, live with Petitioner in her home, with their children. *Ibid.* Thereafter, as the Agency was unable to determine Petitioner's correct household composition and household income information, the Agency notified



Petitioner that her SNAP benefits would be terminated, and that, effective November 1, 2023, her case would close. See Initial Decision at 5-6; see also Exhibit R-1 at 1; and N.J.A.C. 10:87-2.2, -2.14, -2.16.

Based on the evidence presented, the ALJ concluded that the Agency had properly terminated Petitioner's SNAP benefits, because it was not able to determine the correct income and resource amount for the household unit to determine eligibility for SNAP benefits. See Initial Decision at 5-6, see also N.J.A.C. 10:87-2.2(c)1. I agree.

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

Officially approved final version. March 28, 2024

Natasha Johnson
Assistant Commissioner

