



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

AMENDED DECISION

OAL DKT. NO. HPW 9614-14 D.D.

AGENCY DKT. NO. C194224 (UNION COUNTY DIVISION OF SOC. SVCS.)

On October 21, 2014, I issued a Final Agency Decision in this matter in which I mistakenly affirmed the Agency's action denying the Petitioner's Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits based on the Petitioner having resources in excess of the regulatory standards found at N.J.A.C. 10:87-4.11. This Amended decision corrects that error.

Petitioner appealed from the Respondent Agency's denial of SNAP. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 22, 2014, the Honorable Tiffany M. Williams, Administrative Law Judge ("ALJ"), held a hearing and took testimony. On October 8, 2014, the ALJ issued an Initial Decision which affirmed the Agency determination.

Neither party submitted exceptions to the Initial Decision.

As the Director of the Division of Family Development, Department of Human Services, I have independently reviewed the record for this matter, and having made an independent evaluation of the record, I amend the Final Decision dated October 21, 2014, and hereby REVERSE the Agency action and the Initial Decision.

In accordance with N.J.A.C. 10:87-4.1(a), only certain households are required to meet resource standards defined in N.J.A.C 10:87-4.11. The facts of the record do not indicate that the Petitioner meets the criteria meted out in N.J.A.C. 10:87-4.1(a) which describes households where the resource criteria and eligibility standards should apply. As such, the Initial Decision and the Agency action are REVERSED.

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By way of comment, should the Agency determine, based upon additional facts unknown to this writer, that the Petitioner is ineligible for SNAP benefits based on the general regulatory resource standards found in Subchapter 4 of the New Jersey SNAP manual, the Agency should act appropriately.

Based on the foregoing, the Agency action is REVERSED.

NOV 14 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director