



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 17979-15 M.H.

AGENCY DKT. NO. C042159 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)

Petitioner appeals Respondent Agency's termination of her Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits on recertification. The Agency terminated Petitioner's SNAP benefits because it contended that Petitioner had moved out of the county. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 21, 2015, the Honorable Bruce M. Gorman, Administrative Law Judge ("ALJ") held a plenary hearing, took testimony and admitted documents into evidence.

On January 5, 2016, the ALJ issued his Initial Decision reversing the Agency's determination. The ALJ noted that the Agency tracked Petitioner's purchasing pattern and inferred she had moved to Union County. See Initial Decision at 2; see also Exhibit R-2 at 2-9. Petitioner produced a voter registration card and signed lease for a residence, both of which indicate she resides in Atlantic County. See Initial Decision at 2; see also Exhibit P-1 and P-2. Petitioner testified she is currently caring for her father who is suffering from cancer in Union County, but has not changed her residence. The ALJ concluded that Petitioner is only in Union County to provide care for her ailing father, but is still a resident of Atlantic County. See Initial Decision at 3; see also N.J.A.C. 10:87-3.2(a) (stating that a SNAP household is considered a resident of the county in which they actually live). Therefore, the ALJ determined that Petitioner should continue to receive benefits in Atlantic County. See Initial Decision at 3. I agree.

No exceptions to the Initial Decision were filed.

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

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

Signed Copy on File
at DFD, BARA

JAN 15 2016

Natasha Johnson
Director