



State of New Jersey

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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 02066-18 N.J.

AGENCY DKT. NO. S789768009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner challenges the correctness of Respondent Agency's calculation of her Supplemental Nutrition Assistance Program ("SNAP") benefits on recertification. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 1, 2018, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a plenary hearing and took testimony. No documents were admitted into evidence.

On March 29, 2018, the ALJ issued an Initial Decision affirming the Agency's determination. Here, the Agency testified that Petitioner's SNAP benefits were reduced after an update of Petitioner's income and expenses, and after application of shelter and relevant utility credits. See Initial Decision at 2. Petitioner asserted that other possible expenses, such as her cable, should be included. Ibid. The ALJ concluded, however, that the Agency's calculations were indeed correct, and must thereby be affirmed. See id. at 3; see also N.J.A.C. 10:87-6.16. I agree.

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

As the Director of the Division of Family Development ("DFD"), 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.

By way of comment, I note for the benefit of Petitioner that an individual's monthly SNAP benefits amount is formulaic and dependent on income and expenses. It is unclear from the record presented if Petitioner is presently receiving a Heating or Cooling Standard Utility Allowance ("HCSUA") or a Limited Utility Allowance ("LUA"), and what she may have been receiving in the past, as a change in these allowances/deductions will also result in a change of SNAP benefits when other costs change only minimally. See DFD Instructions 17-09-02 at 12 and 14-07-04 at 2. Therefore, I direct the Agency to review these allowances with Petitioner and to explain same, and any change therein, to Petitioner.

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

Officially approved final version.

APR 04 2018

Natasha Johnson
Director

