



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716
TRENTON, NJ 08625-0716

CAROLE JOHNSON
Commissioner

SHEILA Y. OLIVER
Lt. Governor

NATASHA JOHNSON
Director

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 09392-19 R.C.

AGENCY DKT. NO. C056627017 (SALEM COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's termination of her Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's benefits as it contended that Petitioner did not maintain a separate household. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 5, 2019, the Honorable Catherine A. Tuohy, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence.

On August 14, 2019, the ALJ issued an Initial Decision, affirming the Agency's termination of SNAP benefits. The record reflects that on May 30, 2019, the Agency conducted a home visit with Petitioner and saw evidence that J.S., the father to one of Petitioner's children, was residing in the home with Petitioner. See Initial Decision at 2; see also Exhibit R-1 at 11. Additionally, an Agency investigation revealed that J.S.'s relative owned the property where Petitioner resided, that J.S. had registered his vehicles to that address, and that his belongings are at that address. See Initial Decision at 2; see also Exhibit R-1 at 11, 13-15. Notably, J.S. was present at the address when the Investigator visited Petitioner's home on May 30, 2019, and further, the investigator had witnessed J.S.'s vehicles at the residence on at least eight separate occasions. See Initial Decision at 2; see also Exhibit R-1 at 11. Based upon its investigation, on June 5, 2019, the Agency sent Petitioner a Request for Contact, requesting that she add J.S. to the SNAP household, and further advising that the failure to do so would result in the termination of her SNAP benefits. See Initial Decision at 2; see also Exhibit R-1 at 12. Petitioner did not add J.S. to her SNAP case, and as such, the Agency terminated Petitioner's SNAP benefits, effective July 1, 2019. See Initial Decision at 2; see also Exhibit R-1 at 1.

At the hearing, Petitioner did not dispute the information in the Agency's investigation, although she maintained that J.S. did not reside with her. See Initial Decision at 3. Petitioner further testified that she could not, however, provide any proof of an alternate address for J.S., and that she and J.S. have a child together and he is at the residence on a daily basis. Ibid. The ALJ found that J.S. lives with Petitioner, and that Petitioner had failed to list J.S. as a member of the SNAP household. Ibid.; see also N.J.A.C.10:87-2.2(a). Based on the evidence presented, the ALJ concluded that Petitioner does



not maintain a separate household from J.S., as claimed by Petitioner, and that Petitioner had failed to provide any proof of an alternate address for J.S, to substantiate her assertion. See Initial Decision at 4; see also N.J.A.C. 10:87-2.19(i)(1). Accordingly, the ALJ affirmed the Agency's action terminating Petitioner's SNAP benefits, effective July 1, 2019. See Initial Decision at 4; see also Exhibit R-1 at 1. I agree.

No Exceptions to the Initial Decision were filed.

As Director of the 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.

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

Officially approved final version.

Natasha Johnson
Director

AUG 22 2019

