



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT
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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 10003-19 R.M.

AGENCY DKT. NO. C081400018 (SOMERSET COUNTY BOARD OF SOC. SVCS.)

Petitioner challenges the correctness of the Respondent Agency's calculation of his monthly Supplemental Nutrition Assistance Program ("SNAP") benefit amount. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 12, 2019, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence.

On October 1, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner's SNAP household is comprised of Petitioner, his spouse, and two children. See Exhibit R-1 at 8. On July 12, 2019, the Agency notified Petitioner that, as a result of an increase in household earned income, his monthly SNAP benefits were being reduced from \$642 to \$187, effective August 1, 2019. See Initial Decision at 2; see also Exhibit R-1 at 9, and N.J.A.C. 10:87-5.4(a)(1). Thereafter, on July 20, 2019, the Agency notified Petitioner that his SNAP benefits were being further reduced to \$155, due to an increase of the household's Work First New Jersey/ Temporary Assistance to Needy Families ("WFNJ/TANF") benefits. See Exhibit R-1 at 10; see also N.J.A.C. 10:87-5.5(a)(1). Petitioner contends that because of his spouse's disability, he is entitled to a shelter deduction in excess of what the Agency used in its calculation of his monthly SNAP benefit amount. See Initial Decision at 2; see also Exhibit R-1 at 9c, 10c, and N.J.A.C. 10:87-5.10(a)(6), -6.16(b)(9). The ALJ found, and Petitioner acknowledges, that Petitioner's spouse has only a pending application for Supplemental Security Insurance ("SSI") benefits. See Initial Decision at 2, 3; see also Exhibit P-1. The ALJ further found that, because Petitioner's spouse's application for SSI benefits has not yet been granted, she is not disabled, as defined in N.J.A.C. 10:87-2.34, and that the Agency used the appropriate shelter deduction amount in its calculation of Petitioner's SNAP benefit amount. See Initial Decision at 4; see also Exhibit R-1 at 10c, and N.J.A.C. 10:87-5.10(a)(6), -6.16(b)(9). Based on the foregoing, I concur with the ALJ that the Agency's calculation of Petitioner's SNAP benefit amount was correct, and must stand. See Initial Decision at 4; see also Exhibit R-1 at 10, 11, and N.J.A.C. 10:87-5.10(a)(6), -6.16(b)(9).

No Exceptions to this Initial Decision were filed.



As the Director of the 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 concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter.

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

Officially approved final version.

OCT 10 2018

Natasha Johnson
Assistant Commissioner

