



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  
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 00662-20 K.A.

AGENCY DKT. NO. S605045012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals the correctness of the Respondent Agency's calculation of the repayment amount deducted from his monthly Work First New Jersey/General Assistance ("WFNJ/GA") and Supplemental Nutrition Assistance Program ("SNAP") benefits due to an overissuance of said benefits to Petitioner. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 11, 2020, the Honorable Carl V. Buck, III, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On February 21, 2020, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner was not disputing the WFNJ/GA and SNAP benefits overissuance amounts to be repaid to the Agency for the months of January and February 2019, but was disputing the repayment amount deducted from his monthly WFNJ/GA and SNAP benefits. See Initial Decision at 2-3; see also Exhibits P-1, P-2, R-1, R-2, R-3, R-6, R-8, and R-9. The record also reflects that during a lengthy pre-hearing conference, Petitioner stated that "he understood the withdrawn amounts," "how they were calculated," and "that they were accurate." See Initial Decision at 4. Nevertheless, Petitioner claimed that the Agency had only made the proper adjustments to said monthly benefits deductions because he had requested a fair hearing. *Ibid.* However, the ALJ found that, prior to the fair hearing the Agency had correctly calculated and correctly readjusted the monthly recoupment amounts to be deducted from Petitioner's monthly WFNJ/GA and SNAP benefits. *Id.* at 3-4; see also Exhibits P-1, P-2, R-1, R-2, R-3, R-6, R-8, and R-9. The ALJ concluded that the Agency had proven, by a preponderance of the evidence, that the recoupment amount deducted from Petitioner's monthly benefits was correct, and that Petitioner is receiving the proper monthly WFNJ/GA and SNAP net benefits amount. See Initial Decision at 4; see also N.J.A.C. 10:90-3.21(a)(2), (6), and N.J.A.C. 10:87-11.20(p)(iii). I agree.

No Exceptions to the Initial Decision were received.

As the Assistant Commissioner 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 final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.



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

Officially approved final version.

---

Natasha Johnson  
Assistant Commissioner

MAR - 2 2020

