



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 02654-21 A.H.

AGENCY DKT. NO. C152043003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency denied Petitioner SNAP benefits, contending that she failed to cooperate with the Agency in processing her application for SNAP benefits, specifically, by not providing documents, as requested by the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. The matter was initially scheduled for April 12, 2021, but was adjourned at the request of both parties. On the rescheduled date of April 26, 2021, the Honorable Joan M. Burke, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record remained open to allow both parties to provide additional information. On that same date, Petitioner sent an email, attaching a folder which purportedly contained copies of documents that were delivered to the Agency's drop box. The email, however, contained no attachment. On May 3, 2021, and on May 6, 2021, an email was sent to Petitioner requesting the documents. Petitioner did not respond to either the May 3, 2021, or the May 6, 2021, email, and the record then closed on May 12, 2021.

On May 21, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on January 20, 2021, Petitioner applied for SNAP benefits. See Initial Decision at 2; see also Exhibit R-1. On January 26, 2021, the Agency requested that Petitioner provide, among other items, a copy of her spouse's Worker's Compensation Award Letter ("Award Letter"). See Initial Decision at 2; see also Exhibit R-3. Petitioner provided some of the requested items, but did not provide the Award Letter, and therefore, on February 24, 2021, the Agency denied Petitioner's application for SNAP benefits. See Initial Decision at 2-3; see also Exhibit R-3, and N.J.A.C. 10:87-2.25.

C.H., Petitioner's spouse, testified that he had tried to request the Award Letter, but was told that the person who handled his account was out of the office on extended leave. See Initial Decision at 3. C.H. further testified that he followed up with a letter advising the Agency of the issue, and was told that the letter would be sufficient, and nothing else would be needed. *Ibid.*; see also Exhibit R-6.

The ALJ found that Petitioner was given ample to provide a copy of the Award Letter, and did not do so. See Initial Decision at 4. The ALJ further found that the OAL notified Petitioner that her April 26, 2021, email did not include any attached documents, and that when the OAL followed up with two emails to Petitioner, and waited 13 days for a response, Petitioner failed to submit any additional documents. *Ibid.* Based on the foregoing, the ALJ concluded that the Agency was unable to determine Petitioner's eligibility for SNAP benefits, and affirmed the Agency's decision denying Petitioner SNAP benefits. See Initial Decision at 4-5; see also Exhibit R-2, and N.J.A.C. 10:87-2.25, -12.3. Based on an independent review of the record, I agree with the conclusion of the ALJ.

No Exceptions to the Initial Decision were received.



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As Assistant Commissioner, 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.

By way of comment, Petitioner is without prejudice to reapply for SNAP benefits, but must timely provide all documents, as requested by the Agency.

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

Officially approved final version.

JUN 17 2021

Natasha Johnson

Assistant Commissioner

