



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 01282-21 R.G.

AGENCY DKT. NO. C211507013 (MONMOUTH COUNTY DIV. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA"), and Supplemental Nutrition Assistance Program ("SNAP"), benefits. The Agency denied Petitioner SNAP and WFNJ/GA benefits, contending no separate household, and the combined household income. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 16, 2021, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On March 30, 2021, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record reflects that Petitioner applied for WFNJ/GA and SNAP benefits on November 6, 2020. See Initial Decision at 1; see also Exhibit R-1 at 1. The record further reveals that Petitioner lives in the basement of his ex-wife's residence, that he pays his ex-wife weekly rent and he shares no other expenses with the rest of the household. See Initial Decision at 3. However, the Agency found Petitioner ineligible for SNAP benefits due to the inclusion of Petitioner's ex-wife's and daughter's income in the SNAP eligibility calculations, having concluded that Petitioner was not a separate household. See Initial Decision at 2-3; see also N.J.A.C. 10:87-2.2. However, at the hearing before the ALJ, the Agency representative Agency acknowledged that she was not aware of Petitioner's particular living arrangements, nor that expenses were not shared, but rather, she had assumed that Petitioner, his ex-wife and her daughter constituted one household. See Initial Decision at 3. With respect to the denial of WFNJ/GA benefits, the Agency had also presumed that he was living with his minor child, yet, Petitioner does not have any custodial rights with respect to the son, and the Agency later acknowledged same, and therefore, Petitioner is a single person with no dependents and WFNJ/GA eligible. *Ibid.*; see also N.J.A.C. 10:90-2.7(b) (1). Based on the foregoing, the ALJ found that the Agency's denial of WFNJ/GA and SNAP benefits to Petitioner was not proper and must be reversed. *Id.* at 4. I agree. The ALJ further ordered that Petitioner's eligibility for benefits be recalculated on Petitioner's income alone, and that Petitioner's SNAP household is comprised solely of Petitioner and be recalculated accordingly. *Ibid.* I also agree.

No Exceptions to the Initial Decision were received.



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.

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

Officially approved final version. APR 20 2021

Natasha Johnson
Assistant Commissioner

