



State of New Jersey

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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 **09115-22 A.Z.**

AGENCY DKT. NO. **S932852009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from the Respondent Agency's denial of his application for Supplemental Nutritional Assistance Program ("SNAP") benefits. The Agency denied Petitioner's application for SNAP benefits, contending that Petitioner had failed to provide information and documentation necessary to determine eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 17, 2022, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents.

On December 14, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reveals that Petitioner applied for SNAP benefits on June 9, 2022. See Initial Decision at 2; see also Exhibit R-1 at 8-11. On July 30, 2022, the Agency telephoned Petitioner to advise him that he would be contacted by telephone again the following day, during the morning hours, to conduct the required telephone interview. See Initial Decision at 3; see also N.J.A.C. 10:87-2.18. On August 1, 2022, the Agency attempted to conduct the required telephone interview with Petitioner, without success. See Initial Decision at 2. When the Agency was not able to reach Petitioner by telephone, the Agency then sent Petitioner a Request for Verification, seeking information and documentation which is necessary to determine eligibility. See Initial Decision at 2; see also Exhibit R-1 at 4. When the Agency did not receive the required documentation, on August 8, 2022, the Agency denied Petitioner's application for SNAP benefits. See Initial Decision at 2; see also Exhibit R-1 at 1, 3, and N.J.A.C. 10:87-2.19. In order to determine eligibility for SNAP benefits, mandatory verification of certain information is required, such as household income, both earned and unearned income, as well as residency. See N.J.A.C. 10:87-2.19, -2.20. Without said verification of required information, SNAP eligibility cannot be determined or granted. *Ibid.* While Petitioner asserted that he had been verbally approved for SNAP benefits when he spoke with an Agency representative on July 30, 2022, the ALJ found that this assertion was not supported by the testimonial evidence presented at the hearing. See Initial Decision at 2, 3, 4. Based on the foregoing, the ALJ concluded that Petitioner had not participated in the required telephone interview, and further, had not provided all of the information required to be verified to determine eligibility, and as such, the Agency's denial of SNAP benefits to Petitioner was proper and must stand. See Initial Decision at 4; see also N.J.A.C. 10:87-2.19, -2.20. I 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.

By way of comment, Petitioner is without prejudice to reapply for SNAP benefits, but must provide all information and documentation requested in order to determine eligibility.

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

Officially approved final version.

January 25, 2023

Natasha Johnson
Assistant Commissioner

