



## State of New Jersey

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*Governor*

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DIVISION OF FAMILY DEVELOPMENT  
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TRENTON, NJ 08625-0716

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 **07687-23 D.P.**

AGENCY DKT. NO. **C076727015 (OCEAN COUNTY BOARD OF SOC. SVCS.)**

Petitioner challenges the correctness of the Respondent Agency's demand for repayment of a Supplemental Nutrition Assistance Program ("SNAP") benefits overissuance. Respondent Agency asserts that Petitioner received SNAP benefits to which she was not entitled, and which must now be repaid. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 12, 2023, the Honorable Michael R. Stanzone, Administrative Law Judge, held a plenary hearing, took testimony, admitted documents into evidence.

On October 3, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ in this matter issued a very thorough and comprehensive Initial Decision, outlining the procedural history, and providing a detailed and well thought out analysis, applying law to fact. See Initial Decision at 2-9. Specifically, the ALJ found that an overissuance of SNAP benefits occurred to Petitioner from June 2017 to July 2017, in the amount of \$952, and from August 2017 to December 2022, in the amount of \$21,398, for a total overissuance amount of \$22,350. See Initial Decision at 2, 7-9; see also Exhibits R-1 at C, D, and R-2. The ALJ found, and the record substantiates, that the overissuance occurred due to Petitioner's failure to report to the Agency that the father of her child ("N.I.") was indeed residing in the SNAP household during the time frames at issue. See Initial Decision at 2-5, 7, 9; see also Exhibits R-3, R-4. Although Petitioner claimed that N.I. had not been living in her household during the times at issue, the ALJ found that Petitioner failed to substantiate that claim. See Initial Decision at 5-7; see also Exhibit P-1. Based on the testimony and record presented, the ALJ found and concluded that N.I. resided with Petitioner during the times at issue, and that his income was to be included in the household's total income during those times. *Id.* at 7-9. Accordingly, the ALJ concluded that the Agency had properly determined that Petitioner had received an overissuance of SNAP benefits in the amount of \$22,350, to which she was not entitled and which now must be repaid. *Ibid.*; see also Exhibit R-1, and N.J.A.C. 10:87-11.20(e)(2), (f)(1)(i). I agree, and as such, I ORDER and direct the Agency to proceed to recoup the overissuance.

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 AFFIRMED.

Officially approved final version.      October 31, 2023

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Natasha Johnson  
Assistant Commissioner

