



## State of New Jersey

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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 **08885-22 D.S.**

AGENCY DKT. NO. **S567427012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of her Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's SNAP benefits contending that Petitioner had failed to provide requested information regarding a new source of household income. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 9, 2022, the Honorable David M. Fritch, Administrative Law Judge ("ALJ") held a plenary hearing, took testimony, and admitted documents into evidence.

On November 22, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination. The salient facts in this matter reflect that in July, 2022, Petitioner was receiving SNAP benefits, when a new hires match conducted by the Agency showed Petitioner with new income. See Initial Decision at 2; see also Exhibit R-1. By notice dated July 8, 2022, Petitioner was required to provide the Agency with paystubs from her employment within 10 days. *Ibid.* At the hearing before the ALJ, Petitioner testified that she had ceased working for the employer reflected in the new hire match, and that she began employment with a different employer in mid-August, and for that reason, Petitioner maintained that she waited to forward the Agency a paystub from her new employer, together with a termination letter from her prior employer, until August 31, 2022. See Initial Decision at 3-4; see also Exhibit R-3. However, prior to that date, on August 19, 2022, when the requested information was not received, Petitioner was advised that her SNAP benefits case would close effective September 1, 2022. See Initial Decision at 3; see also Exhibit R-2. While the Agency acknowledged receipt of Petitioner's paystub from the second employer on August 31, 2022, the Agency had no record of receipt of the termination letter from the prior employer. See Initial Decision at 4. On the morning of the fair hearing in this matter, Petitioner emailed the termination letter in question to the Agency. See Initial Decision at 4; see also Exhibit P-1. In order to determine eligibility for SNAP benefits, mandatory verification of certain information is required, such as all household income, both earned and unearned income. 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.* Based on the testimony and evidence presented, the ALJ found that it was factually uncontested that Petitioner did not provide the requested information to the Agency within the 10-day deadline, and as such, the



Agency's termination of Petitioner's SNAP benefits was proper and must stand. See Initial Decision at 6; see also Exhibit R-1 and N.J.A.C. 10:87-2.14. 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, if she has not already done so, but is reminded that all documentation and information necessary to determine eligibility must be provided as requested. As noted by the ALJ, Petitioner should communicate with the Agency about the required documentation needed to verify eligibility. See Initial Decision at 6.

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

Officially approved final version.

January 25, 2023

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Natasha Johnson

Assistant Commissioner

