



## State of New Jersey

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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 **07018-22 H.G.**

AGENCY DKT. NO. **S633011012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's closure of Petitioner's Supplemental Nutritional Assistance Program ("SNAP") benefits case at recertification, and the denial of subsequent applications by Petitioner to reopen his SNAP benefits case. Petitioner's SNAP benefits case was closed, and subsequent applications to reopen his case were denied, due to Petitioner's failure 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. A plenary hearing was originally scheduled for September 6, 2022, but was adjourned because the Agency representative had not received documentation that was submitted by Petitioner in advance of the hearing. The matter was rescheduled, and on October 4, 2022, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents. The record remained open until October 7, 2022, for Petitioner to submit additional documentation. Thereafter, the record was reopened for the ALJ to request additional information from the Agency. Upon submission of all documents by the Agency on October 25, 2022, the record again closed. On November 9, 2022, the ALJ issued an Initial Decision, affirming the Agency's actions in this matter.

Exceptions to the Initial Decision were received from Petitioner on November 21, 2022.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Regulatory authority applicable to SNAP benefit cases, defines income as "all income from whatever source unless such income is specifically excluded." See N.J.A.C. 10:87-5.3.

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 liquid resources. 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.*



The ALJ in this matter issued a very thorough and comprehensive Initial Decision, outlining the procedural history, providing a detailed factual timeline, and rendering a well thought out analysis, applying law to fact. Based upon an independent review of the lengthy record in this case, I concur with the ALJ's decision and hereby ADOPT the Findings of Fact and Conclusion of Law in this matter. It is clear that in each separate instance in this matter, Petitioner was requested to provide information and verifications necessary to determine his eligibility for SNAP benefits, and Petitioner failed to do so. See Initial Decision at 2-9. Moreover, as indicated by the ALJ in this case, even if Petitioner did later submit sufficient information and documentation, it was not provided to the Agency until well after the deadline for submission of same. See Initial Decision at 9, 10. As such, I agree with the ALJ's conclusion that the Agency's actions to terminate and close Petitioner's SNAP benefits case, and to deny subsequent applications to reopen his case, were proper. See Initial Decision at 10.

By way of comment, as stated by the ALJ, Petitioner should reapply for SNAP benefits, if he has not already done so, and communicate with the Agency with respect to all documentation needed for the Agency to determine eligibility. See Initial Decision at 10.

By way of further comment, I have reviewed Petitioner's Exceptions and I find that the arguments made therein do not alter my decision in this matter.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determinations are AFFIRMED, as outlined above.

Officially approved final version. February 1, 2023

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Natasha Johnson  
Assistant Commissioner

