



## State of New Jersey

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*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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SARAH ADELMAN  
*Commissioner*

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*Lt. Governor*

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 **05875-23 G.A.**

AGENCY DKT. NO. **S920699009 (HUDSON COUNTY DIVISION OF WELFARE)**

Petitioner Agency charges Respondent with committing an intentional program violation ("IPV") of the Supplemental Nutrition Assistance Program ("SNAP"). The Agency asserts that Respondent improperly and intentionally allowed an unauthorized person to access and use Respondent's SNAP benefits, during a period from November, 2021, through April, 2022. On June 6, 2023, Respondent was properly noticed of the Administrative Disqualification Hearing ("ADH"), the charges against him, and the proposed disqualification penalty. Because Respondent failed to execute and return the waiver of his right to a hearing, the matter was transmitted to the Office of Administrative Law for a hearing as a contested case. On October 12, 2023, the Honorable Daniel J. Brown, Administrative Law Judge ("ALJ"), held a telephonic hearing, took testimony, and admitted documents. Respondent appeared, but did not testify, and did not provide any documents, or offer any defense to the allegations that he committed an IPV. The record then closed on that date.

On October 31, 2023, the ALJ issued an Initial Decision, which found that the Agency had met its burden in establishing, by clear and convincing evidence, that Respondent had participated in the transferring or trafficking of SNAP benefits. See Initial Decision at 4. Specifically, the ALJ found that Respondent improperly transferred his SNAP benefits to a relative by giving his Electronic Benefits Transfer ("EBT") card to his relative to use, with full knowledge that the relative was not authorized to have, or use, Respondent's EBT card. *Id.* at 3, 4; see also Exhibit P-11, P-13, P-14, P-15, P-16, P-17, and N.J.A.C. 10:87-11.3(a)(2). The ALJ further found that Respondent is responsible for repayment of the \$1,725 in SNAP benefits. See Initial Decision at 3. I agree.

Based upon the ALJ's finding, that Respondent had committed an IPV, thereby warranting disqualification from the receipt of SNAP benefits, the ALJ ordered the mandatory regulatory penalty of a 12-month disqualification from receipt of SNAP benefits, pursuant to N.J.A.C. 10:87-11.2(a)(1). *Id.* at 4-5. I also agree.

No Exceptions to the Initial Decision were filed.



As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the Initial Decision in this matter, and following and independent evaluation of the record, I concur with the ALJ's decision, and hereby adopt the Findings of Fact and Conclusion of Law in this matter.

I direct that the Agency proceed to recoup the improperly transferred or trafficked benefits.

Accordingly, based upon the foregoing, I hereby ADOPT the Initial Decision in this matter, and ORDER that Respondent is hereby disqualified from the receipt of SNAP benefits for a period of 12 months. I further ORDER that the Agency is to recoup the improperly transferred or trafficked benefits.

Officially approved final version. November 21, 2023

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Natasha Johnson  
Assistant Commissioner

