



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 11431-22 J.C.

AGENCY DKT. NO. C069690003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's denial of her 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 February 2, 2023, the Honorable Joan M. Burke, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents. The record remained open for the submission of additional documentation. The Agency submitted additional documents, but none were received from Petitioner, and the record then closed on February 10, 2023.

On February 14, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reveals that Petitioner applied for SNAP benefits on October 7, 2022, for herself and a minor child. See Initial Decision at 2. The record further reveals that Petitioner has a nineteen year old daughter who also resides with her, but who had applied for SNAP benefits separately from Petitioner. Ibid. On October 24, 2022, the Agency sent Petitioner an addendum packet together with a Request for Verification. Ibid. Petitioner returned the Request for Verification, but paystubs submitted were not consecutive, and a submitted employer letter was not dated and unsigned. Ibid. Petitioner had also submitted a living arrangement statement on November 1, 2022, which listed Petitioner's older daughter as a roommate. Ibid. On November 17, 2022, the Agency denied Petitioner SNAP benefits for no separate household, and on November 22, 2022, the Agency denied Petitioner SNAP benefits for failure to provide information. See Exhibit R-E; see also N.J.A.C. 10:87-2.2(c)(1). Petitioner maintained that she had previously applied for SNAP benefits in August, 2022, had been denied, and had requested a fair hearing on that denial. See Initial Decision at 3. Petitioner insisted that she had not withdrawn that fair hearing request, however, I hereby take official notice that the records of this office show that Petitioner's prior fair hearing request was withdrawn. See N.J.A.C. 1:1-15.2(a) and N.J.R.E. 201(b)(4). Based on an independent review of the record, I agree with the ALJ that necessary documentation was not submitted to the Agency which was needed to determine eligibility. See Initial Decision at 5-6. 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. Additionally, in accordance with applicable regulatory authority, I agree with the ALJ and the Agency's finding that Petitioner's nineteen year old daughter must be included in Petitioner's SNAP benefits household. See Initial Decision at 6; see also N.J.A.C. 10:87-2.2(c)(1). Based on the foregoing, the ALJ concluded that the Agency's denial of SNAP benefits to Petitioner was proper and must stand. See Initial Decision at 3; see also N.J.A.C. 10:87-2.2(c)(1), -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. April 5, 2023

Natasha Johnson
Assistant Commissioner

