



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 **05573-23 K.C.**

AGENCY DKT. NO. **S479894014 (MORRIS CO. OFFICE OF TEMP ASSISTANCE)**

Petitioner appeals from the Respondent Agency's termination of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's SNAP benefits, contending that Petitioner's resources exceeded the maximum permissible level for receipt of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 18, 2023, the Honorable Andrew M. Baron, Administrative Law Judge, held a telephonic plenary hearing, took testimony, and admitted documents into evidence. On July 26, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have considered the ALJ's Initial Decision and following an independent review of the record, the ALJ's Initial Decision is hereby ADOPTED and the Agency determination is AFFIRMED, based on the discussion below.

In order to determine an applicant's eligibility for SNAP, the applicant's income and resources must be below a certain threshold. In accordance with N.J.A.C. 10:87-4.11(a), the maximum allowable resources, including both liquid and non-liquid assets for all members of the household, shall not exceed \$2,750, except households which include a person aged 60 or over, for which such resources shall not exceed \$4,250. See DFD Instruction ("DFDI") 22-09-02 at 14. If the household's non-excludable income exceeds the allowable amounts at any point in time, the household's participation in the SNAP program shall be denied or terminated. See N.J.A.C. 10:87-4.11(b).

Here, the record reflects that on January 30, 2023, the Agency noticed Petitioner that his SNAP benefits would terminate, effective March 1, 2023, due to Petitioner's resources exceeding the maximum allowable amount of \$4,250. See Exhibit R-5; see also N.J.A.C. 10:87-4.11 and DFDI 0-22-09-02 at 14. At the hearing, Petitioner did not dispute the excess resources. See Initial Decision at 2. Based on applicable regulatory authority, the ALJ in this matter found that that Petitioner's resources clearly exceeded the allowable maximum level amount of \$4,250, and as such, the Agency's termination



Petitioner's SNAP benefits was proper and must stand. See Initial Decision at 3; see also DFDI 22-09-02. I agree.

Accordingly, the Initial Decision in this matter is hereby ADOPTED and the Agency's determination is also AFFIRMED, as outlined above.

Officially approved final version. August 15, 2023

Natasha Johnson
Assistant Commissioner

