



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 **01598-23 M.P.**

AGENCY DKT. NO. **S958139009 (HUDSON COUNTY DEPT OF FAM 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 April 18, 2023, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. The record was held open for the submission of documentation referenced at the hearing, and then closed on April 25, 2023.

On May 15, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reveals that Petitioner applied for SNAP benefits on August 30, 2022. See Initial Decision at 2. Thereafter, the Agency telephoned Petitioner at the phone number on her application, to advise her of what documents were required to complete her application, however, Petitioner did not answer the phone. *Id.* at 2, 7; see also Exhibit R-3. On September 22, 2022, the Agency sent Petitioner a Request for Verification, seeking information and documentation required to determine her SNAP benefits eligibility. See Initial Decision at 2-4; see also Exhibit R-2. The Agency acknowledged that it had received some of the requested information from Petitioner, but that she had failed to provide other documentation necessary to process her SNAP application. See Initial Decision at 2. Petitioner maintained that she could not recall having received said Request for Verification, but testified that it had been addressed correctly and that she had received the Agency's adverse action notice at that address. *Id.* at 3; see also Exhibits R-1, R-2. In order to determine eligibility for SNAP benefits, mandatory verification of certain information is required, such as 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.* Further, the ALJ found that the Agency had properly processed Petitioner's SNAP application in accordance with applicable regulatory authority. See Initial Decision at 5-8; see also N.J.A.C. 10:87-2.27. Following the presentation of testimonial and documentary evidence in this case, the ALJ found the Agency's evidence credible, and therefore concluded that Petitioner had not provided the requested information required to be verified



to determine eligibility, and as such, the Agency's denial of SNAP benefits to Petitioner was proper and must stand. See Initial Decision at 8-9; see also N.J.A.C. 10:87-2.19, -2.20. I agree.

Exceptions to the Initial Decision were filed by Legal Services, on behalf of Petitioner, on May 22, 2023.

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 must provide all information and documentation requested in order to determine eligibility.

By way of further comment, the transmittal in this matter also indicates a contested issue pertaining to a denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits to Petitioner. That issue was not addressed by the ALJ in the Initial Decision. Therefore, Petitioner is advised that if she still wishes to contest a denial of WFNJ/GA benefits, she may request another fair hearing on that issue alone.

Also by way of comment, I have reviewed the Exceptions submitted on behalf of Petitioner, 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 determination is AFFIRMED.

Officially approved final version. June 27, 2023

Natasha Johnson
Assistant Commissioner

