



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 **10956-22 M.S.**

AGENCY DKT. NO. **S777680009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") benefits, at recertification. The Agency denied Petitioner's application for continued SNAP benefits at recertification because Petitioner's residence could not be verified. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 2, 2023, the Honorable Kelly J. Kirk, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents. On February 13, 2023, the ALJ issued an Initial Decision, affirming the Agency's denial.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), 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, as discussed below.

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.

In accordance with N.J.A.C. 10:87-3.2, a SNAP household must be a resident of the county in which they file an application for participation, and may not participate in more than one county in any month, unless the individuals have moved into a shelter for battered women and children.

Here, the record reveals that Petitioner submitted an application for continued SNAP benefits on August 18, 2022. See Initial Decision at 2. The Agency then sent Petitioner a Request for Verification seeking verification of Petitioner's address and documentation pertaining to Petitioner's current living and rental arrangement. *Ibid.*; see also Exhibit R-2. Thereafter, an undated letter was received by the Agency, from Petitioner's sister, which stated that Petitioner had been staying with her, but would be leaving on August 26, 2022, and did not state where she would be going from her sister's. See Initial Decision at 2; see also Exhibit R-1. An Agency representative then contacted Petitioner's sister, who indicated



that Petitioner would stay with her for some days in a week, and then stay remaining days with her brother in another county. See Initial Decision at 2-3; see also Exhibit R-1. Based on the foregoing, on September 16, 2022, a denial letter was issued on the basis that Petitioner could not be located and/or her residence could not be verified. See Initial Decision at 3. Based on the record presented, the ALJ agreed that the Agency could not verify Petitioner's residence, and without proof of same, the Agency's denial of SNAP benefits to Petitioner at recertification was proper and must stand. Id. at 6; see also N.J.A.C. 10:87-2.19 and -3.2. I agree.

By way of comment, Petitioner is without prejudice to reapply for SNAP benefits in the applicable county of residence, but is reminded that proof of residence in said county must be provided.

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

Officially approved final version.

March 21, 2023

Natasha Johnson

Assistant Commissioner

