



## State of New Jersey

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*Governor*

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DIVISION OF FAMILY DEVELOPMENT  
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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 **06368-23 G.C.**

AGENCY DKT. NO. **C158574015 (OCEAN COUNTY BOARD OF SOC. SVCS.)**

Petitioner Agency seeks a finding that Respondent committed an intentional program violation (“IPV”) of the Supplemental Nutrition Assistance Program (“SNAP”). The Agency asserts that Respondent failed to report a change in household income while receiving SNAP benefits, thus causing Respondent to receive an overissuance of benefits to which he was not entitled. Respondent was properly noticed of the Administrative Disqualification Hearing, the charges against him, and the proposed disqualification penalties, via certified mail, return receipt requested, on May 25, 2023. See Exhibit P-1 at 1, 2-3. 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 (“OAL”) for a hearing as a contested case. Id. at 4-5. On July 28, 2023, the Honorable Sarah H. Surgent, Administrative Law Judge (“ALJ”), held a telephonic plenary hearing, took testimony, admitted documents, and the record then closed.

On August 18, 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 deliberately and intentionally withheld information from the Agency, which resulted in Respondent receiving an overissuance of SNAP benefits, to which he was not entitled. See Initial Decision at 4. Specifically, the ALJ found that Respondent intentionally did not report that N.A., his estranged non-marital partner and adult member of Respondent’s SNAP household, had earned income, which impacted Respondent’s eligibility for SNAP benefits for the time period beginning September, 2019, through March, 2020. Id. at 2, 3, 4; see also Exhibits P-2, P-3, P-4, P-5, P-6, and N.J.A.C. 10:87-5.4, -9.5, -11.3(a)(1), (2).

As this was the first IPV committed by Respondent, the ALJ ordered the mandatory regulatory penalty of a 12-month disqualification from receipt of SNAP benefits. See Initial Decision at 6, and N.J.A.C. 10:87-11.2(a)(1).

No Exceptions to the Initial Decision were filed by either party.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the ALJ’s Initial Decision in the present matter, and following an independent evaluation of



the record, I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusions of Law in this matter.

Accordingly, the Initial Decision in this matter is hereby ADOPTED, and I therefore ORDER that Respondent is hereby disqualified from receipt of SNAP benefits for a period of 12 months.

Officially approved final version. August 23, 2023

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Natasha Johnson  
Assistant Commissioner

