



## State of New Jersey

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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 **06796-23 S.A.**

AGENCY DKT. NO. **S637045012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency denied Petitioner SNAP benefits, contending that Petitioner had failed to provide requested documentation necessary to determine SNAP eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 5, 2023, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On September 19, 2023, the ALJ issued an Initial Decision, reversing the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, REVERSE the Agency's determination, and REMAND the matter to the Agency, based on the discussion 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. See N.J.A.C. 10:87-2.19, -2.20.

Here, the record reveals that Petitioner filed an application for SNAP benefits on October 14, 2022, and Petitioner was awarded SNAP benefits on an expedited basis. See Initial Decision at 1, 3; see also Exhibits R-4, R-5, and N.J.A.C. 10:87-2.29. On October 21, 2022, the Agency advised Petitioner, in writing, of certain verifying documentation required to be provided to the Agency by November 14, 2022, in order to determine continued SNAP benefits eligibility. See Initial Decision at 2-3; see also Exhibits R-1, R-2, and N.J.A.C. 10:87-2.19, -2.20, -2.30(a)(3). The Agency acknowledged that Petitioner had timely provided all of the requested documentation, except for her daughter's employment information, and her husband's address and phone number which had been omitted from the required letter that she had provided. See Initial Decision at 3-5; See also Exhibits R-3, R-5, R-6 through R-11, R-16. Consequently, on March 10, 2023, the Agency denied Petitioner's application for SNAP benefits for



failure to provide all required documentation. See Initial Decision at 4; see also Exhibit R-17, and N.J.A.C. 10:87-2.27. However, the ALJ found that Petitioner had attempted to obtain her daughter's employment information but was unable to do so. See Initial Decision at 4-5. Further, the ALJ found that Petitioner had advised the Agency of her inability to obtain said information, and moreover, found that even the Agency's attempt to obtain said information had failed. Id. at 4-6; see also N.J.A.C. 10:87-2.14, -2.22(c)(1). The ALJ also found that prior to the Agency's denial, it had never advised Petitioner that the omission of her husband's address and phone number on the letter that she had provided was material and would result in a denial of SNAP benefits. See Initial Decision at 4. Based on the testimony and documentary evidence provided, the ALJ concluded that Petitioner had satisfied her obligation to cooperate with the Agency and provide all available information that was required to determine her eligibility for SNAP benefits. Id. at 6-7; see also N.J.A.C. 10:87-2.15, -2.16. Accordingly, the ALJ determined that the Agency's denial of SNAP benefits to Petitioner was improper and must be reversed. Ibid.; see also Exhibit R-17. I agree. However, it does not appear from the record that the Agency has had the opportunity to review all the verifying documentation provided for eligibility, and as such, I find that the Agency must first be given that opportunity before it can be determined if Petitioner is, in fact, eligible for continued SNAP benefits. Accordingly, I remand the matter to the Agency to evaluate Petitioner's eligibility for SNAP benefits, on an expedited basis. The Initial Decision is modified to reflect this finding.

By way of comment, Petitioner is advised that should she be denied SNAP benefits based on the evaluation of the submitted documentation for eligibility, she may request another fair hearing on that substantive review and denial.

Accordingly, the Initial Decision in this matter is MODIFIED, the Agency's determination is hereby REVERSED, and the matter is REMANDED back to Agency, as outlined above.

Officially approved final version.      October 19, 2023

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Natasha Johnson  
Assistant Commissioner

