



## 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 **01718-23 S.B.**

AGENCY DKT. NO. **C234233004 (CAMDEN-CCBSS)**

Petitioner challenges the correctness of the Respondent Agency's demand for repayment of a Supplemental Nutrition Assistance Program ("SNAP") benefits overissuance. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 8, 2023, the Honorable Kimberly M. Wilson, Administrative Law Judge, held a plenary hearing, took testimony, admitted documents into evidence. The record remained open to allow the Agency the opportunity to submit additional documents, and then closed on May 17, 2023. The record was then reopened to allow Petitioner the opportunity to provide an objection to those additional documents, and then closed again on May 25, 2023.

On June 8, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ in this matter issued a very thorough and comprehensive Initial Decision, outlining the procedural history, and providing a detailed and well thought out analysis, applying law to fact. See Initial Decision at 1-12. Specifically, the ALJ found that an overissuance of SNAP benefits occurred to Petitioner and the father of her children ("S.C") from September 2020 to June 2021, and August 2021 to April 2022, in the total amount of \$14,988.60. See Initial Decision at 3-8; see also Exhibit R-1 at 1, 5-15, 18-29, R-2. The overissuance occurred due to Petitioner's and S.C.'s failure to report to the Agency that Petitioner was residing in the SNAP household during the time at issue. See Initial Decision at 2-3, 9; see also Exhibit R-1 at 1, 2, 33-44, 56-60. Although Petitioner claimed that she had not been living in S.C.'s household during the time at issue, the ALJ found that Petitioner failed to substantiate that claim. See Initial Decision at 8-11. Based on the record presented, the ALJ concluded that Petitioner resided with S.C. during the time at issue, and that her income was to be included in the household's total income from September 2020 through April 2022, excluding July 2021. *Id.* at 11-12. Accordingly, the ALJ concluded that the Agency had properly determined that Petitioner had received an overissuance of SNAP benefits in the amount of \$14,988.60, to which she was not entitled and which now must be repaid. *Ibid.*; see also Exhibit R-1 at 1, and N.J.A.C. 10:87-11.20(e)(2), (f)(1)(i). I agree, and as such, I ORDER and direct the Agency to proceed to recoup the overissuance.

No Exceptions to the Initial Decision were received.



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.

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

Officially approved final version. August 9, 2023

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Natasha Johnson  
Assistant Commissioner

