



## 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 **03086-23 V.T.**

AGENCY DKT. NO. **C145466003 (BURLINGTON COUNTY BD. OF SOC. SVCS)**

Petitioner appeals from the Respondent Agency's reduction of her Supplemental Nutrition Assistance Program ("SNAP") benefits, at recertification. Petitioner's monthly SNAP benefits allotment was reduced at recertification because Petitioner had not provided proof of shelter costs. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 3, 2023, the Honorable Rebecca C. Lafferty, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents into evidence. On May 16, 2023, the ALJ issued an Initial Decision, affirming the Agency's termination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have considered the ALJ's Initial Decision and following an independent review of the record, the ALJ's Initial Decision is hereby ADOPTED and the Agency determination is AFFIRMED, 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, as well as residency. See N.J.A.C. 10:87-2.19, -2.20. N.J.A.C. 10:87-2.19(f), in part, states, "Acceptable verification of residency should be accomplished, to the extent possible, in conjunction with the verification of other information, such as, but not limited to, rent and mortgage payments, shelter costs, utility expenses and identity." (emphasis added).

Here, an independent review of the record reflects that Petitioner was advised of her forthcoming need to recertify for SNAP benefits before the end of January, 2023. See Initial Decision at 2, 5. The Agency sent Petitioner a Request for Verification on December 7, 2022, which requested, amongst other things, proof of income, as well as verification of shelter expenses, including proof of Petitioner's rental amount. *Ibid.*; see also Exhibit R-1 at 13-14. Thereafter, Petitioner provided various requested verifications, but did not include any verification of shelter expenses. See Initial Decision at 2, 5. Based upon the submitted verifications, Petitioner was notified on February 6, 2023, that her monthly SNAP



benefits allotment, effective February 1, 2023, would be \$142. Id. at 3, 5; see also Exhibit R-3 at 34. When Petitioner thereafter requested an appeal, due to the fact that her monthly SNAP benefits were less, on recertification, the Agency explained to Petitioner that the decrease was the result of a lack of shelter costs in the SNAP benefits calculations due to no verification of Petitioner's rental expenses. See Initial Decision at 3; see also Exhibit R-3 at 36-38. The record shows that the Agency performed a recalculation of the hypothetical SNAP benefits allotment using Petitioner's unverified rental amount of \$1550, which would have resulted in an increased allotment amount of \$329. See Initial Decision at 3; see also Exhibit R-3 at 40. Based on the foregoing, the ALJ concluded that the Agency had correctly calculated Petitioner's monthly SNAP benefits allotment, without any shelter costs due to lack of verification of Petitioner's rental amount, and as such, the reduction of Petitioner's monthly SNAP benefits allotment on recertification was proper and must stand. See Initial Decision at 7-8. I agree.

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

Officially approved final version. July 11, 2023

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Natasha Johnson  
Assistant Commissioner

