



## State of New Jersey

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*Governor*

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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

AMENDED DECISION

OAL DKT. NO. HPW **10732-22 C.B.**

AGENCY DKT. NO. **S561759009 (HUDSON COUNTY DEPT OF FAM SVCS)**

A Final Agency Decision ("FAD") was issued in this matter on March 21, 2023. This Amended FAD is being issued due to circumstances which have resulted in the vacating of the overissuance in this matter, thus voiding the prior FAD's determination.

Petitioner challenged the correctness of the Respondent Agency's claim for recovery of Supplemental Nutrition Assistance Program ("SNAP") benefits. Respondent Agency asserted that Petitioner had received an overissuance of SNAP benefits to which she was not entitled, and which must be repaid. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 16, 2023, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents into evidence. On February 22, 2023, the ALJ issued an Initial Decision, affirming the overissuance of SNAP benefits issued to Petitioner. An FAD was issued by this office on March 21, 2023, affirming the Agency's determination and directing that the overissuance be recouped by the Agency.

This office has been advised that the Agency is now rescinding the claim for recovery of an overissuance of SNAP benefits in this matter. Specifically, due to a Management Evaluation review of a factually relevant disqualification from 2011, it was determined that certain documents in that disqualification proceeding were incomplete and missing information. As a result, that disqualification was invalidated, and consequently, recovery of the previously affirmed overissuance in this case is no longer being sought by the Agency, which thereby renders the prior determination by this office to be void. Therefore, as Assistant Commissioner, Division of Family Development, Department of Human Services, I find that, as the prior FAD issued on March 21, 2023, is now void, such renders Petitioner's prior appeal to be moot and can accordingly be dismissed.

By way of comment, while the records of this Agency do not seem to indicate that any amount was collected on the now vacated overissuance in this matter, if it is determined that the Agency did, in fact, collect any funds from Petitioner as a result of the March 21, 2023, FAD, the Agency shall refund such monies to Petitioner.

By way of further comment, Petitioner is without prejudice to reapply for SNAP benefits.

Accordingly, based on the circumstances outlined above, the prior FAD in this matter is hereby deemed void, and Petitioner's appeal, having now been rendered moot, is **DISMISSED**.



Officially approved final version. February 21, 2024

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Natasha Johnson  
Assistant Commissioner

