



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
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

FINAL DECISION

OAL DKT. NO. HPW 11974-23 L.U.

AGENCY DKT. NO. C058015005 (CAPE MAY COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutritional Assistance Program ("SNAP") benefits. The Agency denied Petitioner SNAP benefits, contending that he lived in a group home where meals are provided. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 30, 2023, the Honorable Kathleen M. Calemno, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On December 13, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner applied for SNAP benefits on September 26, 2023. See Exhibit R-1 at 34-48. On November 1, 2023, the Agency received a letter from the facility where Petitioner resides, describing Petitioner's current living situation, namely, that Petitioner pays a portion of his Supplemental Security Income ("SSI") benefits in exchange for room and board, including 3 meals a day, cable, household utility bills, and one healthy snack provided daily. See Initial Decision at 2-4; see also Exhibit R-1 at 60-62. Based on the record presented, and in accordance with applicable regulatory authority, the ALJ found that Petitioner lives in a residential group home, where his lodging and meals are provided, and therefore, he is ineligible for SNAP benefits and does not meet any of the criteria for an exception. See Initial Decision at 3-5; see also N.J.A.C. 10:87-2.2(b), -2.4(a), -2.5. Therefore, the ALJ affirmed the Agency's action denying Petitioner's application for SNAP benefits. Id. at 5. I agree.

No Exceptions to the Initial Decision were filed either party.

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. February 14, 2024

Natasha Johnson
Assistant Commissioner

