



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 **05474-23 S.A.**

AGENCY DKT. NO. **C109251015 (OCEAN COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Petitioner's Supplemental Nutritional Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's SNAP benefits because it maintained that Petitioner did not report her husband's earned income. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 13, 2023, the Honorable Dean J. Buono, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents. The record remained open for submission of additional documentation. No additional documentation having been provided, the record then closed on November 14, 2023.

On November 29, 2023, the ALJ issued an Initial Decision, affirming the Agency's termination of Petitioner's redetermination application for SNAP benefits. The ALJ in this matter issued a thorough and comprehensive Initial Decision, providing a detailed factual timeline, outlining the applicable law, and then applying law to fact. See Initial Decision at 2-15. The record in this matter shows that Petitioner demonstrated, through her applications and recertifications for benefits, that she understood the mechanisms for reporting future and anticipated incomes. See Initial Decision at 4-5; see also Exhibit R-3, R-4, and N.J.A.C. 10:87-5.2(a)1. Further, subpoenaed bank records showed multiple sources of unreported income by Petitioner's husband. See Initial Decision at 3, 4, 5; see also Exhibit R-3, R-4, R-5. As the facts in the record supported that Petitioner was aware of the obligations in what type of incomes to report, the ALJ found that the Agency had properly terminated Petitioner's SNAP benefits. See Initial Decision at 7-8, 10-11, 11-15. Accordingly, the ALJ concluded that the Agency determination to terminate Petitioner's SNAP recertification application in this matter was proper and must stand. *Id.* at 15; see also Exhibit R-2. Based on an independent review of the record, I agree.

Exceptions to the Initial Decision were received from Petitioner on December 19, 2023.

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.



By way of comment, I have reviewed the Exceptions submitted on behalf of the Petitioner, and I find that the arguments made therein do not alter my decision in this matter. Moreover, Petitioner included documents with her Exceptions which were not introduced at the hearing before the ALJ. Pursuant to N.J.A.C. 1:1-18.4(c), I am not permitted to consider documents as evidence that were not submitted at the hearing for consideration by the ALJ.

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

Officially approved final version. January 18, 2024

Natasha Johnson
Assistant Commissioner

