



## State of New Jersey

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*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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SARAH ADELMAN  
*Commissioner*

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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 **09035-23 L.B.**

AGENCY DKT. NO. **C269151020 (UNION COUNTY DIVISION OF SOC. SVCS.)**

Petitioner Agency charges Respondent with committing an intentional program violation (“IPV”) of the Supplemental Nutrition Assistance Program (“SNAP”). The Agency asserts that Respondent misrepresented her address in order to receive SNAP benefits in two states simultaneously, thus causing Respondent to receive an overissuance of benefits to which she was not entitled. On August 17, 2023, Respondent was properly noticed of the Administrative Disqualification Hearing, the charges against her, and the proposed disqualification penalty, via certified mail, return receipt requested. See Exhibits P-6, P-7. Because Respondent failed to execute and return the waiver of her right to a hearing, the matter was transmitted to the Office of Administrative Law for a hearing as a contested case. See Exhibit P-3. Respondent requested an adjournment of the initial hearing date of October 6, 2023, which was granted. The matter was rescheduled, and on October 24, 2023, the Honorable Leslie Z. Celentano, Administrative Law Judge (“ALJ”), held a telephonic plenary hearing, took testimony, and admitted documents.

On November 28, 2023, the ALJ issued an Initial Decision, which found that the Agency had met its burden in establishing, by clear and convincing evidence, that Respondent had deliberately and intentionally misrepresented information to the Agency, which resulted in Respondent receiving an overissuance of SNAP benefits, to which she was not entitled. See Initial Decision at 5-6. Specifically, the ALJ found that Respondent intentionally applied for, and received, SNAP benefits in Union County, while still collecting SNAP benefits in Ohio, during the periods of March 1, 2022, through December 31, 2022, which resulted in an overissuance of SNAP benefits to Respondent in the amount of \$3,537. *Id.* at 3, 4-6; see also Exhibits P-1, P-2, P-3, P-4, P-5, P-6 and N.J.A.C. 10:87-3.2, -3.3. I agree.

Additionally, because Respondent was found to have made a fraudulent statement or misrepresentations regarding her place of residence in order to receive SNAP benefits from two states at the same time, the ALJ concluded that Petitioner is ineligible to participate in the SNAP program for a period ten (10) years pursuant to N.J.A.C. 10:87-11.2(e). See Initial Decision at 6; see also N.J.A.C. 10:87-3.18. I also agree.



No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion above.

I ORDER that Respondent is disqualified from receipt of SNAP benefits for a period of 10 years. I further ORDER that the Agency is to recoup the overissuance.

Officially approved final version. January 17, 2024

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Natasha Johnson  
Assistant Commissioner

