



*State of New Jersey*

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*Governor*

**DEPARTMENT OF HUMAN SERVICES**  
**DIVISION OF FAMILY DEVELOPMENT**  
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**TRENTON, NJ 08625-0716**

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*Director*  
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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 15799-17 J.C.**

**AGENCY DKT. NO. C069566018 (SOMERSET COUNTY BOARD 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 failed to report a change in household income while he was receiving SNAP benefits, thus causing Respondent to receive an overissuance of benefits to which he was not entitled. Respondent was properly noticed of the Administrative Disqualification Hearing, the charges against him, and the proposed disqualification penalty via certified mail. See Exhibit P-1. On November 14, 2017, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a hearing, took testimony, and admitted documents.

On November 28, 2017, 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 withheld information from the Agency, which resulted in Respondent receiving an overissuance of SNAP benefits to which he was not entitled. See Initial Decision at 4. Specifically, Respondent intentionally did not report Unemployment Insurance Benefits ("UIB") received from May 2014 through July 2014, which resulted in an overissuance to Respondent of SNAP benefits in the amount of \$1,896 to which he was not entitled. Id. at 3; see also Exhibit P-7 and N.J.A.C. 10:87-5.2(a)(1), N.J.A.C. 10:87-9.5.

As this was the first IPV committed by Respondent, the ALJ ordered the mandatory regulatory penalty of a 12 month disqualification from receipt of SNAP benefits pursuant to N.J.A.C. 10:87-11.2(a)(1). See Initial Decision at 5.

No Exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have considered the Initial Decision in this matter, and following and independent evaluation of the record, I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter.

I direct that the Agency proceed to recoup the overissuance.

Accordingly, based upon the foregoing, I hereby ADOPT the Initial Decision in this matter, and ORDER that Respondent is disqualified from receipt of SNAP benefits for a period of 12 months. I further ORDER that the Agency is to recoup the



overissuance.

Officially approved final version.

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Natasha Johnson

Director

JAN 10 2018

