



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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NATASHA JOHNSON
Director

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 14010-18 S.O.

AGENCY DKT. NO. C055390002 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner challenges the correctness of the Respondent Agency's calculation of her monthly Supplemental Nutrition Assistance Program ("SNAP") benefits amount. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 16, 2018, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence.

On October 18, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner's SNAP household consists of Petitioner alone, and that she currently receives \$106 monthly in SNAP benefits. See Initial Decision at 2; see also Exhibits R-2, R-8. Petitioner asserts that her daughter, a full-time college student, should be included in the SNAP household, and thus eligible for SNAP benefits. See Initial Decision at 2. The ALJ found that Petitioner's daughter, as a full-time college student, is not currently working at least 20 hours per week, nor is she performing any type of work-study program. *Ibid.*; see also Exhibit R-7, and N.J.A.C. 10:87-3.14. Accordingly, the ALJ found that Petitioner's daughter was not eligible for SNAP benefits, and concluded that the Agency had properly determined the amount of Petitioner's monthly SNAP benefits. See Initial Decision at 3; see also Exhibit P-1, R-2, and N.J.A.C. 10:87-3.14(d)(1), (2). I agree.

Additionally, Petitioner stated that for the months of September 2018, and October 2018, she received \$96. See Initial Decision at 3. The Agency testified that Petitioner was entitled to, and did receive, \$106 in SNAP benefits for September 2018, and October 2018. *Ibid.* The ALJ concluded that, because there are conflicting amounts, Petitioner is entitled to documentation confirming the amounts she is entitled to, and the actual amount she received for those months, and ordered the Agency to provide that information to the Petitioner. *Id.* at 4. I also agree, and direct the Agency to provide Petitioner with documentation and explanation as to how her benefits were calculated, how much she is entitled to receive, and how much Petitioner did, in fact, receive for the months in question.

No Exceptions to the Initial Decision were filed by either party.



As the Director of the 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 decision and hereby adopt the Findings of Fact and Conclusions of Law in this matter.

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

Officially approved final version. JUL 19 2017

Natasha Johnson
Director

