



State of New Jersey

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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 **15403-19 R.R.**

AGENCY DKT. NO. **C283025007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner challenges the correctness of Respondent Agency's reduction of her Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency reduced Petitioner's SNAP benefits due to an increase in household income. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 19, 2019, the Honorable Julio C. Morejon, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On December 23, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on October 22, 2019, the Agency notified Petitioner that beginning November 1, 2019, her SNAP benefits would be reduced to \$291 per month, due to the receipt of household earned income. See Initial Decision at 2; see also Exhibit R-1, and N.J.A.C. 10:87-5.4(a). Petitioner began working a part-time job on August 1, 2019, and, as determined by the Agency, earned \$1,083 per month. See Initial Decision at 2; see also Exhibits R-3 at 1, R-4. After the Agency applied the appropriate deductions, Petitioner's monthly SNAP net income was calculated at \$724. See Initial Decision at 2-3; see also Exhibits R-2, R-3 at 1, and N.J.A.C. 10:87-5.10(a), -6.16. Based on that amount, Petitioner's monthly SNAP benefit allotment is \$291 per month. See Initial Decision at 3; see also Exhibit R-3 at 1, and N.J.A.C. 10:87-12.6(a)(1). As Petitioner did not dispute the amount of earned income, and other factors, used by the Agency in calculating the amount of her monthly SNAP benefits, and as the Agency had followed the procedures required by the regulations in calculating the benefits amount, the ALJ concluded that the reduction of Petitioner's SNAP benefits was appropriate. See Initial Decision at 3; see also Exhibit R-1, and N.J.A.C. 10:87-5.4(a). I agree.

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

As the Director of DFD, 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.



By way of comment, in accordance with applicable regulatory authority, in cases involving SNAP benefits, a fair hearing, Initial Decision, and Final Decision are all to be completed within 60 days from the receipt of an individual's request for a fair hearing. See 7 C.F.R. § 273.15(c)(1). With this time frame in mind, it should also be noted that Initial Decisions in SNAP cases are to be issued within 14 days from the date of the hearing before the ALJ. See N.J.A.C. 1:10-18.1(b).

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

Officially approved final version.

Natasha Johnson
Assistant Commissioner

JAN 3 2013

