



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 **02742-22 A.P.**

AGENCY DKT. NO. **C561362002 (BERGEN COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of her application for Supplemental Nutritional Assistance Program ("SNAP") benefits. The Agency denied Petitioner's application for SNAP benefits, contending that Petitioner had failed to provide information and documentation necessary to determine eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A pre-hearing conference was held in the case on April 26, 2022, and on May 5, 2022, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On May 6, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reveals that Petitioner applied for SNAP benefits, for herself and her child, on February 1, 2022. See Initial Decision at 2; see also Exhibit R-3. In accordance with applicable regulatory authority, the Agency is required to verify certain information for SNAP benefits eligibility, including income, and thus, by notice dated February 15, 2022, the Agency requested that Petitioner provide copies of pay stubs, as well as other necessary verifications, by February 25, 2022. See Initial Decision at 2; see also Exhibit R-2 and N.J.A.C. 10:87-2.19, -5.2(a)(1). On February 28, 2022, the Agency acknowledged receipt of documentation received from Petitioner, including a 1099 form and the first page of Petitioner's February, 2022 bank statement. See Initial Decision at 2; see also Exhibits R-4 – R-6. After review of the documentation provided, the Agency requested a complete copy of Petitioner's most recent bank statement, as well as a three month profit and loss statement regarding Petitioner's earnings from Amazon. See Initial Decision at 2; see also Exhibit R-7. Petitioner did not provide the requested documentation, and by notice dated March 3, 2022, Petitioner was advised that her application for SNAP benefits was denied. See Initial Decision at 2; see also Exhibit R-8 and N.J.A.C. 10:87-2.27(e). Following the pre-hearing telephone conference in this matter, Petitioner again submitted some documentation, but said documentation contained no supporting receipts or invoices to support Petitioner's profits and losses, and again only the first page of bank account statements were provided. See Initial Decision at 3; see also Exhibits P-3 – P-6. Based on the foregoing, and in accordance with applicable regulatory authority mandating the verification of certain information, including income, in order to determine SNAP benefits eligibility, the ALJ in this matter concluded that all of the evidence submitted in the case confirmed that the Agency did not have all necessary information



and documentation required to determine eligibility, and as such, Petitioner could not be determined eligible for SNAP benefits and the Agency's March 3, 2022, denial was proper and must stand. See Initial Decision at 4-5; see also N.J.A.C. 10:87-2.14, -2.19, -2.27(e)(1). I agree.

No Exceptions to the Initial Decision were received.

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, Petitioner is without prejudice to reapply for SNAP benefits.

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

Officially approved final version.

June 2, 2022

Natasha Johnson

Assistant Commissioner

