



## State of New Jersey

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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 **06034-22 F.K.**

AGENCY DKT. NO. **C251556009 (HUDSON COUNTY DEPT OF FAM 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 hearing was initially scheduled for August 24, 2022, and was adjourned. The matter was rescheduled for September 7, 2022, but was again adjourned after Petitioner's counsel had appeared, but Petitioner herself did not. The case was again rescheduled for September 15, 2022, and on that date, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents.

On September 19, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reveals that Petitioner applied for SNAP benefits on March 11, 2022. See Initial Decision at 2. Thereafter, the Agency sent Petitioner a Request for Verification, seeking, amongst other things, employment and income information from Petitioner's two employers, and which is necessary to determine eligibility. *Ibid.*; see also Exhibit R-2. When the Agency did not receive all of the required documentation, on April 26, 2022, the Agency denied Petitioner's application for SNAP benefits. See Initial Decision at 2; see also Exhibit R-1, and N.J.A.C. 10:87-2.19. In order to determine eligibility for SNAP benefits, mandatory verification of certain information is required, such as household income, both earned and unearned income. See N.J.A.C. 10:87-2.19, -2.20. Without said verification of required information, SNAP eligibility cannot be determined or granted. *Ibid.* Based on the foregoing, the ALJ concluded that Petitioner had not provided all of the information required to be verified to determine eligibility, and as such, the Agency's denial of SNAP benefits to Petitioner was proper and must stand. See Initial Decision at 4; see also N.J.A.C. 10:87-2.19, -2.20. I agree.

Exceptions to the Initial Decision were received on September 26, 2022, from Legal Services on behalf of Petitioner.



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, I have reviewed Petitioner's Exceptions, and find that the arguments made therein do not alter my decision in this matter. Additionally, I note that the Exceptions include some documents which were not entered into evidence at the hearing before the ALJ. Pursuant to N.J.A.C. 1:1-18.4(c), I am not permitted to consider documents as evidence that were not submitted at the hearing for consideration by the ALJ.

By way of further comment, only one adjournment of no more than 30 days is permissible in SNAP cases. See N.J.A.C. 1:10-9.1(a), (b), N.J.A.C. 10:87-8.6(a)(4)(i) and 7 C.F.R. 273.15(c)(4).

Finally, also by way of comment, Petitioner is without prejudice to reapply for SNAP benefits, but must provide all information and documentation requested in order to determine eligibility.

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

Officially approved final version.

October 6, 2022

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Natasha Johnson

Assistant Commissioner

