



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT
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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 13266-25 A.A.

AGENCY DKT. NO. C156102003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's termination of Supplemental Nutritional Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's SNAP benefits, contending that Petitioner's countable household income exceeded the maximum permissible level for receipt of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On October 29, 2025, the Honorable Jeffrey N. Rabin, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents. On November 13, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, the ALJ's Initial Decision is hereby ADOPTED and the Agency determination is AFFIRMED, based on the discussion below.

Regulatory authority applicable to SNAP benefit cases, defines income as "all income from whatever source unless such income is specifically excluded." See N.J.A.C. 10:87-5.3. In order to determine an applicant's eligibility for SNAP, the applicant's income and resources must be below a certain threshold. In accordance with N.J.A.C. 10:87-6.16(d)(1), households which contain an elderly or permanently disabled individual, as defined by N.J.A.C. 10:87-2.34, must meet the net income test for SNAP eligibility. N.J.A.C. 10:87-6.16(d)(2), states that households that do not contain an elderly or permanently disabled household member must meet both the gross income test, as well as the net income test, meaning that the respective income amounts must be below the established standards. See also N.J.A.C. 10:87-12.3, -12.4.

Gross income is determined by adding together the household's monthly earned and unearned income, minus any earned income exclusions. See N.J.A.C. 10:87-6.16(b), (b)(1). That total gross income amount is then utilized to determine a household's SNAP eligibility in accordance with N.J.A.C. 10:87-6.16(d)(1) and (2).

Here, the record reflects that Petitioner reported new employment and submitted a paystub from her new employer on June 8, 2025, which indicated a weekly pay of \$1,050. See Initial Decision at 2; see also Exhibit R-B. Thereafter, the Agency performed a recalculation using Petitioner's new income and determined her monthly gross income to be \$4,555 per month. Ibid. Pursuant to regulatory authority, the gross income limit for a SNAP household of two persons, at that time, was \$3,152 per month. See Initial Decision at 2; see also Exhibit R-D, N.J.A.C. 10:87-6.9, -9.5, and DFD Instruction ("DFDI") 24-10-04 at 14. On July 7, 2025, the Agency terminated Petitioner's SNAP benefits, due to the household income exceeding the maximum allowable gross income level for receipt of SNAP benefits. Ibid. As there is no indication in the record that Petitioner, or anyone in the SNAP household, is handicapped, disabled or elderly, the household must meet



the both the gross and net income tests for SNAP eligibility. See N.J.A.C. 10:87-2.34(a)(1), (2), -6.16(d)(1), (2). As the maximum allowable gross income amount for SNAP eligibility, for a household of two persons, at the time was \$3,152, and as Petitioner's household's calculated monthly gross income, per the pay stub provided, was determined to be over that threshold, Petitioner's household was found ineligible for continued SNAP benefits. See Initial Decision at 3-4; see also DFDI 24-10-04 at 14, and Exhibit R-B. Based on the foregoing, the ALJ found that the Agency's termination of SNAP benefits was proper and must stand. See Initial Decision at 3-4. I agree.

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

Officially approved final version. December 16, 2025

Natasha Johnson
Assistant Commissioner

