



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 **14806-24 D.W.**

AGENCY DKT. NO. **C277079020 (UNION COUNTY DIVISION OF SOC. SVCS.)**

Petitioner challenges the correctness of the Respondent Agency's claim for recovery of Work First New Jersey/General Assistance ("WFNJ/GA") benefits issued to Petitioner between June, 2023 and August, 2023 and Supplemental Nutrition Assistance Program ("SNAP") benefits issued to Petitioner between June, 2023 and August, 2023, as well as between September, 2023 and December, 2023. The Agency asserts that Petitioner received WFNJ/GA and SNAP benefits to which he was not entitled, thereby resulting in the overissuance of benefits which must be repaid. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On March 10, 2025, the Honorable Patrice E. Hobbs, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, admitted documents into evidence, and the record then closed. On March 13, 2025, the ALJ issued an Initial Decision, affirming the Agency's determinations.

No Exceptions to the Initial Decision were filed.

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, I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency actions, based on the discussion below.

In the instance of an overpayment of benefits, the Agency must recoup the overissuance. See N.J.A.C. 10:87-11.20. One type of overpayment which is subject to recoupment is one which results from "a misunderstanding or unintended error on the part of the household" receiving benefits, called an "Inadvertent Household Error" ("IHE"). See N.J.A.C. 10:87-11.20(e)(2). Repayment of overissuances may be sought for up to six years following the time that the Agency becomes aware of the overpayment. See N.J.A.C. 10:87-11.20(f)(1)(i).

Similarly, under the WFNJ regulations, a WFNJ benefits recipient is required to satisfy any repayment obligation pursuant to state or Federal law governing public assistance. See N.J.A.C. 10:90-2.2(a)(7). WFNJ assistance units are required to inform the Agency of any change in income and circumstances that would affect eligibility no later than 10 days after the change happened, or in the case of earnings, no later than 10 days from the date of receipt of the first paycheck. See N.J.A.C. 10:90-3.11(e); see also N.J.A.C. 10:87-9.5(b)(1)(i) (requiring a SNAP household to report a change in income within 10 days from the day of receipt of the first paycheck).

Here, the record reflects that Petitioner applied for WFNJ/GA and SNAP benefits in January 2023, and indicated on his application that he was unemployed. See Initial Decision at 2. In July 2023, Petitioner began to receive benefits, as well receiving a lump sum of benefits, totaling \$1,787, for the months preceding his approval. Ibid. On April 26, 2023, Petitioner began working, however, he did not report to the Agency that he began to receive income. Ibid. The Agency



determined that WFNJ/GA benefits had been overissued in the amount of \$545.60 from June 2023 to August 2023 and that SNAP benefits had been overissued in the amount of \$1,574 for June 2023 to July 2023, as well as September 2023 through December 2023. Ibid.

The ALJ in this case found that the Agency had met its burden in establishing, by a preponderance of the credible evidence, that Petitioner received overissuances of WFNJ/GA and SNAP benefits to which he was not entitled. See Initial Decision at 3. Further, the ALJ found that Petitioner had received benefits to which he was not entitled, in the total amount of \$2,119.60, which must now be repaid. Ibid.; see also N.J.A.C. 10:87-5.4(a)(1), -9.5, -11.20, N.J.A.C. 10:90-3.21(a)(1), (2), (3). Based on the evidence presented, the ALJ concluded that Petitioner had received overissuances of WFNJ/GA and SNAP benefits to which he was not entitled, which must be repaid. See Initial Decision at 3. I agree.

I ORDER and direct that the Agency proceed to recoup the overissuances.

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

Officially approved final version. April 25, 2025

Natasha Johnson
Assistant Commissioner

