



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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SARAH ADELMAN
Commissioner

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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 19822-25 A.B.

AGENCY DKT. NO. C161982009 (HUDSON COUNTY DIVISION OF WELFARE)

Petitioner Agency charges Respondent with committing an intentional program violation ("IPV"), as defined by N.J.A.C. 10:87-11.3 and 7 C.F.R. 273.16(c), of the Supplemental Nutrition Assistance Program ("SNAP"). The Agency asserts that Respondent intentionally misrepresented her residence while she received SNAP benefits, thus causing Respondent to receive an overissuance of benefits to which she was not entitled. Respondent was properly noticed of the Administrative Disqualification Hearing, the charges against her, and the proposed disqualification penalty, via certified mail, on October 4, 2025. See Exhibit P-5; see also N.J.A.C. 10:87-11.5(a)(3)(i) and 7 C.F.R. 273.16(e)(3)(i). Because Respondent failed to execute and return the waiver of her right to a hearing, the matter was transmitted to the Office of Administrative Law for a hearing as a contested case. On December 4, 2025, the Honorable Nanci G. Stokes, Administrative Law Judge ("ALJ") held a telephonic plenary hearing, took testimony, and admitted documents.

IPVs occur where the person intentionally "made a false or misleading statement, or misrepresented, concealed or withheld facts." See N.J.A.C. 10:87-11.3 and 7 C.F.R. 273.16(c).

On December 10, 2025, the ALJ issued an Initial Decision, which found that the Agency had failed to meet its burden in establishing, by clear and convincing evidence, that Respondent had deliberately and intentionally withheld information from the Agency, which resulted in Respondent receiving an overissuance of SNAP benefits, to which she was not entitled. See Initial Decision at 5-7; see also N.J.A.C. 10:87-11.3(a), -11.5(a)(6), 7 C.F.R. 273.16(c)(1), and 7 C.F.R. 273.16(e)(4). Specifically, based upon the testimonial and documentary evidence presented at the time of the hearing, the ALJ found that the Petitioner had previously been the victim of identity theft and that her information may have been used out of state, in New York, in order to apply for and receive SNAP benefits. See Initial Decision at 2-5; see also Exhibits P-1, P-2, and P-3.

Based upon the record presented, the ALJ concluded that there was no proof that Petitioner misrepresented, concealed, or withheld facts in order to obtain SNAP benefits. See Initial Decision at 5-7. Accordingly, because the ALJ concluded that the Agency did not present clear and convincing evidence that Respondent had committed an IPV, the ALJ found that Respondent had not committed an IPV, and dismissed the Agency's action seeking to recover the overissuance and impose a disqualification from receipt of SNAP benefits. See Initial Decision at 5-7; see also N.J.A.C. 10:87-11.5(a)(6) and 7 C.F.R. 273.16(c)(1). Based on an independent review of the record, I agree with the ALJ's conclusions in this matter.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the Initial Decision in this matter, and following an independent evaluation of the record, I concur with the ALJ's decision, and hereby adopt the Findings of Fact and Conclusion of Law in this matter. See 7 C.F.R. 273.16(e)(6).



Accordingly, based upon the foregoing, I hereby ADOPT the Initial Decision in this matter, and REVERSE the Agency's determinations.

Officially approved final version.

December 23, 2025

Natasha Johnson
Assistant Commissioner

