



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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Commissioner

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Lt. Governor

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 **07117-25 S.H.**

AGENCY DKT. NO. **S477392014 (MORRIS CO. OFFICE OF TEMP ASSISTANCE)**

Petitioner challenges the correctness of the Respondent Agency's claim for recovery of Supplemental Nutrition Assistance Program ("SNAP") benefits and Work First New Jersey/General Assistance ("WFNJ/GA") benefits issued to Petitioner between September, 2023 and August, 2024. The Agency terminated Petitioner's SNAP and WFNJ/GA benefits contending that Petitioner had moved out of Morris County, without informing the Agency, 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. A hearing in this matter was initially scheduled for June 3, 2025, however Petitioner failed to appear. On that same date, Petitioner contacted the OAL and explained she had experienced telephone issues and requested the matter be rescheduled. The matter was rescheduled for June 14, 2025, at which time Petitioner requested an additional adjournment. The adjournment was granted and the matter rescheduled for June 30, 2025. At that time, Petitioner requested an additional adjournment and the matter was rescheduled for July 17, 2025. On July 17, 2025, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence. On that date, Petitioner claimed to have never received the Agency packet for the hearing and thus the ALJ carried the hearing to July 21, 2025, and the Agency was instructed to resend the packet to the Petitioner. On July 21, 2025, the hearing recommenced and the record closed on that date. On July 21, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

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.

Regulatory authority applicable to SNAP benefit cases, requires that a household must be a resident of the county in which it files an application for participation. See N.J.A.C. 10:87-3.2.

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).

Here, the record reveals that Petitioner moved to Warren County on or around August 1, 2023, with a lease term from August 1, 2023 through July 31, 2024. See Initial Decision at 4; see also Exhibit R-1. Prior to this date, Petitioner resided



in Morris County, where she received WFNJ/GA and SNAP benefits. Ibid. On September 20, 2023, Petitioner applied for WFNJ/GA and SNAP benefits in Warren County and thereafter simultaneously received WFNJ/GA and SNAP benefits from both Morris County and Warren County from September, 2023 through August, 2024. Ibid. Petitioner, at no time, reported a change of address to either Agency which resulted in an overissuance of WFNJ/GA benefits from Morris County in the amount of \$2,865 for September, 2023 through August, 2024 and an overissuance of SNAP benefits from Morris County in the amount of \$1,421 from September, 2023 through August, 2024. Ibid. Based on the foregoing, the ALJ found that the Agency had met its burden in establishing, by a preponderance of the credible evidence, that Petitioner received an overissuance of WFNJ/GA and SNAP benefits, in the total amount of \$4,286, to which she was not entitled, which must now be repaid. See Initial Decision at 5; see also Exhibit R-1, and N.J.A.C. 10:87-3.2(a), -3.3, -9.5, -11.20. I agree.

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

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

Officially approved final version. August 20, 2025

Natasha Johnson
Assistant Commissioner

