



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 11209-25 K.A.

AGENCY DKT. NO. C280247020 (UNION COUNTY DIVISION OF SOC. SVCS.)

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 his address and income while he received SNAP benefits, thus causing Respondent to receive an overissuance of benefits to which he was not entitled. Respondent was properly noticed of the Administrative Disqualification Hearing, the charges against him, and the proposed disqualification penalty, via Certified Mail, on May 22, 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). In addition, on July 3, 2025, the Agency investigator spoke with the Respondent via telephone to confirm he was aware of the hearing information. See Initial Decision at 2. Because Respondent failed to execute and return the waiver of his right to a hearing, the matter was transmitted to the Office of Administrative Law for a hearing as a contested case. On July 18, 2025, the Honorable Danielle Pasquale, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, admitted documents, and the record was closed. Respondent did not appear for the hearing, and the matter proceeded ex parte, which is permissible pursuant to regulation. See N.J.A.C. 1:10-14.1(d), N.J.A.C. 10:87-11.5(a)(4)(i), and 7 C.F.R. 273.16(e)(4). Respondent was given ten days following the hearing, to present good cause for his failure to appear. See 7 C.F.R. 273.16(e)(4). Respondent did not respond.

On July 30, 2025, the ALJ issued an Initial Decision, which found that the Agency had met 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 he was not entitled. See Initial Decision at 3-4; 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). The ALJ found that Respondent had deliberately and intentionally withheld information from the Agency, by failing to accurately report his address, as he resided out-of-state, as well as failing to report his earned income, which resulted in Respondent receiving an overissuance of SNAP benefits, to which he was not entitled. See Initial Decision at 3-4; see also Exhibits P-1, P-2, P-3, P-4 and N.J.A.C. 10:87-5.2(a)(1), -9.5(a)(3), -11.5(a)(6) and 7 C.F.R. 273.16(c)(1). Specifically, Respondent failed to disclose that he resided in Indiana, and that he was receiving earned income from employment. Ibid. Accordingly, the ALJ found that Respondent committed a SNAP IPV by concealing and withholding information regarding his location and income. See Initial Decision at 3-5. I agree.

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). Such misrepresentations in this matter resulted in an overissuance of SNAP benefits to Respondent in the amount of \$2,037 for the period of January, 2024 through July, 2024. See Initial Decision at 3-5; see also Exhibits P-3, P-4.



As this was the first IPV committed by Respondent, the ALJ ordered the mandatory regulatory penalty of a 12-month disqualification from receipt of SNAP benefits, pursuant to N.J.A.C. 10:87-11.2(a)(1). See Initial Decision at 5; see also 7 C.F.R. 273.16(b)(1)(i).

No Exceptions to the Initial Decision were filed.

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).

I direct that the Agency proceed to recoup the overissuance pursuant to N.J.A.C. 10:87-11.20 and 7 C.F.R. 273.18.

Accordingly, based upon the foregoing, I hereby ADOPT the Initial Decision in this matter, and ORDER that Respondent is disqualified from receipt of SNAP benefits for a period of 12 months. I further ORDER that the Agency is to recoup the overissuance.

Officially approved final version. August 13, 2025

Natasha Johnson
Assistant Commissioner

