



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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SARAH ADELMAN
Commissioner

TAHESHA L. WAY
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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 **02527-25 B.G.**

AGENCY DKT. NO. **C033887020 (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 household composition 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 December 11, 2024. 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). Respondent personally signed for the Notice. Ibid. 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 March 3, 2025, the Honorable Irene Jones, Administrative Law Judge ("ALJ") held a telephonic plenary hearing, took testimony, admitted documents, and the record closed.

On April 3, 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 4-5; 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, the ALJ found that Respondent had deliberately and intentionally withheld information by failing to accurately report his household composition at the time of his SNAP application in August 2021, and thereafter, not amending his information to indicate that he resided with his paramour and their biological child, who was born July 2022, which resulted in Respondent receiving an overissuance of SNAP benefits, to which he was not entitled. See Initial Decision at 2; see also Exhibits P-1, P-2, P-3, P-4, P-6, 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). As such, the ALJ found that Respondent committed a SNAP IPV by concealing and withholding information regarding his household composition. See Initial Decision at 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 \$4,946 for the period of June, 2022 through August, 2023. See Initial Decision at 4-5; see also Exhibits P-1, P-2, P-3, P-6.

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.



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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.AC. 10:87-11.20 and 7 C.F.R. 273.18.

By way of comment, the record reflects that the Respondent may have agreed to repay the amount of overissued SNAP benefits that he had received, however, the document is not addressed to Respondent nor signed by him. See Exhibit P-6. Therefore, I direct the Agency to proceed with the recoupment of benefits, either in accordance with the terms of such repayment agreement, or as otherwise prescribed within N.J.AC. 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 recoup the overissuance.

Officially approved final version. April 17, 2025

Natasha Johnson
Assistant Commissioner

