



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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SARAH ADELMAN
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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 **13180-25 M.P.**

AGENCY DKT. NO. **C214653020 (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, as well as his residence, 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, which receipt was confirmed via telephone by the Agency on July 9, 2025. See Exhibits P-8, P-9; 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 his right to a hearing, the matter was transmitted to the Office of Administrative Law for a hearing as a contested case. On August 5, 2025, the Honorable Leslie Z. Celentano, 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 September 3, 2025 the ALJ issued an Initial Decision, finding that Respondent had committed an IPV, and ordering that Respondent be disqualified from receiving SNAP benefits for a period of 24 months.

In this matter, the ALJ 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 2-6; 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 household composition as he claimed that his son resided with him when he did not, as well as misrepresenting his shelter costs when he was a Section 8 recipient who paid only a fraction of such costs, and misrepresented his residence, when his benefits were exclusively used out of state for purchases, which resulted in Respondent receiving an overissuance of SNAP benefits, to which he was not entitled. See Initial Decision at 2-6; see also Exhibits P-1, P-2, P-3, P-4, P-5, 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). Specifically, Respondent claimed his son resided with him when he did not have physical custody and did not appear on the child's birth certificate, that his monthly shelter costs were \$1,643 when he was actually only responsible monthly for \$164 due to being a Section 8 housing recipient, and he did not have any proof of actually residing within Union County which was bolstered by records of his benefits use in Pennsylvania. See Initial Decision at 3; see also Exhibits P-6, P-7. Accordingly, the ALJ found that Respondent committed a SNAP IPV by concealing and withholding information regarding his household size and



composition, by proffering no supporting evidence he was a resident of Union County during the time of receipt and use of benefits, and by spending all benefits out-of-state. See Initial Decision at 4-6. 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 \$1,574. See Initial Decision at 6; see also Exhibit P-7.

As this was the second IPV committed by Respondent, the ALJ ordered the mandatory regulatory penalty of a 24-month disqualification from receipt of SNAP benefits, pursuant to N.J.A.C. 10:87-11.2(a)(2). See Initial Decision at 8; see also 7 C.F.R. 273.16(b)(1)(ii).

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 24 months. I further ORDER that the Agency is recoup the overissuance.

Officially approved final version. September 23, 2025

Natasha Johnson
Assistant Commissioner

