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STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW **11351-25 Y.S.**

AGENCY DKT. NO. **C195061015** (**OCEAN COUNTY BOARD OF SOC. SVCS.**)

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutritional Assistance Program ("SNAP") benefits. The Agency denied Petitioner SNAP benefits contending that Petitioner's countable household income exceeded the maximum permissible level for receipt of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On August 15, 2025, the Honorable Jacob S. Gertsman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents. On August 21, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

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, the ALJ's Initial Decision is hereby ADOPTED and the Agency determination is AFFIRMED, based on the discussion below.

Regulatory authority applicable to SNAP benefit cases, defines income as "all income from whatever source unless such income is specifically excluded." See N.J.A.C. 10:87-5.3. "Earned income" is defined, in pertinent part, as "[a]ll wages and salaries received as compensation for services performed as an employee[.]" See N.J.A.C. 10:87-5.4(a)(1). In order to determine an applicant's eligibility for SNAP, the applicant's income and resources must be below a certain threshold. N.J.A.C. 10:87-6.16(d)(2), states that households that do not contain an elderly or permanently disabled household member must meet both the gross income test, as well as the net income test, meaning that the respective income amounts must be below the established standards. See also N.J.A.C. 10:87-12.3, -12.4.

Gross income is determined by adding together the household's monthly earned and unearned income, minus any earned income exclusions. See N.J.A.C. 10:87-6.16(b), (b)(1). That total gross income amount is then utilized to determine a household's SNAP eligibility in accordance with N.J.A.C. 10:87-6.16(d)(1) and (2). The maximum allowable gross income level for a household of three persons for SNAP benefits eligibility is $3,981. See DFD Instruction ("DFDI") 24-10-04 at 14.

Here, the record reflects that Petitioner applied for SNAP benefits, on behalf of his household of three, on May 19, 2025. See Initial Decision at 2; see also Exhibit R-10. Based upon the income reported on the application, for both Petitioner and his wife, the Agency determined that the household's monthly gross income was $7,009.84. See Initial Decision at 2, 4; see also Exhibits R-3, R-4, R-5, R-6, R-7, P-2, P-3, P-4, P-5 and P-6. There is no indication in the record that Petitioner, or anyone in the SNAP household, is handicapped, disabled or elderly, and as such, the household must meet the both the gross and net income tests for SNAP eligibility. See N.J.A.C. 10:87-2.34(a)(1), (2), and N.J.A.C. 10:87-6.16(d)(1), (2). Based on the foregoing, the ALJ found that Petitioner's household failed to meet the gross income

test, which ended the Agency's analysis regarding eligibility for SNAP benefits. See Initial Decision at 3-5; see also N.J.A.C. 10:87-6.16(d)(1), (2). Accordingly, the ALJ found that the Agency's denial of SNAP benefits was proper and must stand. See Initial Decision at 5. I agree.

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

Officially approved final version. September 23, 2025

Natasha Johnson
Assistant Commissioner