



# State of New Jersey

MIKIE SHERRILL  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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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 **02541-26 B.D.**

AGENCY DKT. NO. **C033173017 (SALEM COUNTY BOARD OF SOC. SVCS.)**

Petitioner challenges the correctness of the Respondent Agency's demand to repay overissued Supplemental Nutrition Assistance Program ("SNAP") benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On April 20, 2026, the Honorable Susan McCabe, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On April 29, 2026, the ALJ issued an Initial Decision, reversing 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 reviewed the record in this matter and I hereby ADOPT the Initial Decision, and REVERSE the Agency determination, based on the discussion below.

Here, the record reveals that the Agency sent Petitioner's mother a notice regarding repayment of SNAP benefits paid to her household from November, 2023, through September, 2024, in the amount of \$4,603.05. See Initial Decision at 2; see also Exhibit R-1. At the time of the hearing, testimonial and evidentiary evidence was presented which substantiates that Petitioner moved out of the SNAP household in March, 2023, and that he provided documentary evidence, via earning statements and other relevant sources, that his address was different during the period relevant to the SNAP overissuance. See Initial Decision at 3; see also Exhibit P-1. At the hearing, the Agency acknowledged that Petitioner, in fact, did not reside in the household during the period at issue. See Initial Decision at 3.

Based on the foregoing, the ALJ found that Petitioner was not an adult member of the SNAP household at the time of the benefits overissuance and that he was unaware that his mother failed to properly report her income. See Initial Decision at 3; see also Exhibit R-1. Additionally, from November, 2023, to September, 2024, Petitioner did not reside in the household. Ibid. Accordingly, the ALJ concluded that Petitioner is not responsible for the repayment of the overissued SNAP benefits during the timeframe in question, as he did not reside in the household, and therefore, the Agency determination must be reversed. Ibid.; see also N.J.A.C. 10:87-11.20(d)(1) (only adult members that reside in the household during the overpayment are responsible for repayment of claims). I agree.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is REVERSED, as outlined above.



Officially approved final version.

May 12, 2026

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Natasha Johnson

Assistant Commissioner

