



State of New Jersey

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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 **20744-25 C.D.**

AGENCY DKT. NO. **C161600011 (MERCER COUNTY BOARD OF SOC. SVCS..)**

Petitioner challenges the correctness of the Agency's claim for recoupment of an overissuance of Supplemental Nutrition Assistance Program ("SNAP") benefits. Respondent Agency asserts that for the period beginning October, 2024, through October, 2025, Petitioner received SNAP benefits to which she was not entitled, and which must be repaid. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 17, 2026, the Honorable Samantha L. Price, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence. On April 23, 2026, the matter went back on the record for clarification of a procedural matter and the record was then closed. On May 6, 2026, the ALJ issued an Initial Decision, affirming the overissuance of SNAP benefits issued to Petitioner.

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision and following an independent review of the record, I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency determination, based on the discussion below.

SNAP is designed to promote the general welfare and to safeguard the health and well-being of the population by raising the levels of nutrition among low-income households. See N.J.A.C. 10:87-1.1(a). In the instance of an overpayment of benefits, the Agency must recoup the overissuance. See N.J.A.C. 10:87-11.20; see also 7 C.F.R. 273.18(a). One type of overpayment which is subject to recoupment is one which results from "an action or failure to take action by the [Agency]," called an "Agency Error" ("AE"). See N.J.A.C. 10:87-11.20(e)(3); see also 7 C.F.R. 273.18(b)(3). Repayment of overissuances may be sought for amounts going back six years prior to the time that the Agency becomes aware of the overpayment. See N.J.A.C. 10:87-11.20(f)(1)(i); see also 7 C.F.R. 273.18(c)(1)(i).

Here, the ALJ found that the Agency had met its burden in establishing, by a preponderance of the credible evidence, that Petitioner received an overissuance of SNAP benefits to which she was not entitled. See Initial Decision at 2-6. The record in this matter reveals that Petitioner had received an overissuance of SNAP benefits from October, 2024, through October, 2025, due to the Agency's delayed removal of Petitioner's shelter expense. *Id.* at 2. Specifically, prior to October, 2024, a shelter expense deduction of \$1,937 was included in the calculation of the household's benefit allotment amount, when, in actuality, no shelter expense deduction should have been included in the benefits calculation. *Ibid.* During the August, 2025 recertification of SNAP benefits, the Agency determined that a shelter expense deduction was included in error, based upon income verification letters received which stated that Petitioner, and her spouse, received shelter as part of their employment compensation, and absent any documentation from Petitioner that payments were made to



a mortgage company. See Initial Decision at 3; see also Exhibit R-4. The Agency concluded that the household should not receive a shelter expense deduction based upon documentation indicating they resided in a parsonage due to their employment. Ibid. As such, the Agency is seeking to recover an overissuance of SNAP benefits, which resulted from the inclusion of a shelter expense deduction in error from October, 2024 to October, 2025, in the amount of \$8,539. See Initial Decision at 3-4; see also Exhibits R-1, R-3 R-5. Upon the Agency removing the shelter expense, it was determined that Petitioner had been issued the incorrect amount of SNAP benefits for the period in question. Ibid. The ALJ in this matter found that, as the result of an AE, Petitioner received an overissuance of SNAP benefits in the amount of \$8,539 for the period beginning October, 2024, to October, 2025. See Initial Decision at 5-6. The ALJ further found that, in accordance with applicable regulatory authority, when an overpayment is discovered by the Agency, whereby a SNAP benefits recipient received benefits to which they were not entitled, the overissuance must be repaid, regardless of fault. Ibid.; see also N.J.A.C. 10:87-11.20; see also 7 C.F.R. 273.18(a). Accordingly, the ALJ concluded that Petitioner was overissued SNAP benefits to which she was not entitled during the time period claimed, and as such, the Agency is entitled to recoup, and Petitioner must repay, the overissuance of SNAP benefits to which she was not eligible to receive. See Initial Decision at 6; see also N.J.A.C. 10:87-11.20(b), (e)(3), see also 7 C.F.R. 218. I agree.

I ORDER and direct that the Agency proceed to recoup the overissuance.

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

Officially approved final version. May 14, 2026

Natasha Johnson
Assistant Commissioner

