



# 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 **19924-25 C.P.**

AGENCY DKT. NO. **C040027001 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)**

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency denied Petitioner's application for SNAP benefits, contending that Petitioner failed to provide the Agency with required verifications in a timely manner. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. A hearing in this matter began on January 23, 2026, but was adjourned to February 2, 2026. On February 2, 2026, the Honorable Carl V. Buck III, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was then held open to allow for additional submissions and closed on February 17, 2026. On March 3, 2026, the ALJ issued an Initial Decision, reversing the Agency's determination.

Here, the record reveals that Petitioner applied for SNAP benefits on September 18, 2025, on behalf of herself and her minor grandchild. See Initial Decision at 2. At the time of the hearing, the Agency representative testified that Petitioner never provided the Agency with the school information for her minor grandchild, nor a custody verification. *Ibid.* On September 25, 2025, the Agency sent a Request for Contact to Petitioner requesting such verifications, however, Petitioner testified that she never received such request. See Initial Decision at 2-3; see also Exhibit R-1. Petitioner testified that she provided the Agency with a copy of the custody Order for her minor grandchild, as well as completing a SNAP benefits interview on September 23, 2025, at which time she testified the Agency did not request any further verifications. See Initial Decision at 3. On October 6, 2025, Petitioner phoned the Agency to check on the status of her SNAP application, and testified that an Agency representative told her that her application had been "misplaced or lost," but that she was not informed that she needed to submit any further verifications. *Ibid.* On October 20, 2025, the Agency sent Petitioner a notice denying her SNAP benefits. *Ibid.*

Based upon the testimonial and documentary evidence presented, the ALJ found that Petitioner had submitted the documentation requested to the Agency. See Initial Decision at 5; see also Exhibit P-1. Accordingly, the ALJ reversed the Agency's denial. *Ibid.*

Exceptions to the Initial Decision were filed by the Agency on March 19, 2026. The Exceptions assert contradictory facts, unsubstantiated by evidence put into the record, in contravention of N.J.A.C. 1:1-18.4(c) ("Evidence not presented at the hearing shall not be submitted as part of an exception, nor shall it be incorporated or referred to within exceptions."). It appears from the contradictory information contained in the Agency's Exceptions that the testimony provided by the Petitioner at the time of the hearing may be inaccurate, as represented in the Exceptions by the documentary evidence, such that the custody and school of the minor grandchild remain in question. Had the ALJ been presented with the facts raised in the Agency's Exceptions, properly substantiated through testimony and documentation, a different ultimate



conclusion may have been reached by the ALJ. Whether or not the documentation was submitted to the Agency is the central issue of this matter, but more holistically so is in the information contained therein as to the accuracy of where the minor child is residing and attending school. Failure to accurately and properly determine this issue could result in an overissuance of SNAP benefits to Petitioner, based upon an inaccurate household composition, for which Petitioner would be responsible to repay.

As such, I am remanding this matter to the OAL for further factfinding with the following directives. As the information in the Exceptions directly contradicts the testimony provided at the time of the hearing, and was not made available at the hearing, on remand, the Agency must produce evidence of the facts asserted in the Exceptions to the ALJ for appropriate consideration.

By way of comment, the Agency is advised that when Exceptions are filed, they must be served upon all parties, including in this matter counsel for Petitioner, who shall be provided with a copy of the Exceptions as expeditiously as possible.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the record in this matter and the ALJ's Initial Decision, and having made an independent evaluation of the record, I REJECT the Initial Decision and REMAND the matter to the OAL for further fact finding.

Accordingly, the Initial Decision is REJECTED and the matter is REMANDED to the OAL for further fact finding, as outlined above.

Officially approved final version. May 20, 2026

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Natasha Johnson  
Assistant Commissioner

