



State of New Jersey

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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 **00666-26 D.L.**

AGENCY DKT. NO. **S664966012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of her Supplemental Nutritional Assistance Program ("SNAP") benefits and the denial of her application for Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency terminated Petitioner's SNAP benefits case, contending that Petitioner had failed to provide information and documentation necessary to determine continued eligibility for benefits. The Agency denied Petitioner's application for WFNJ/TANF benefits due to her household income exceeding the allowable WFNJ/TANF benefit eligibility level. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On January 20, 2026, the Honorable Carl V. Buck III, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On January 21, 2026, the ALJ issued an Initial Decision, affirming the Agency's determinations.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, and AFFIRM the Agency's determinations, based on the discussion below.

Pursuant to N.J.A.C. 10:90-3.2(a), in order to determine initial financial eligibility for WFNJ benefits for a new applicant, reapplicant or reopened case, "all countable income available to the assistance unit shall be considered and compared to the initial maximum allowable income levels for the appropriate eligible assistance unit size in Schedule I at N.J.A.C. 10:90-3.3." See also N.J.A.C. 10:90-3.1(b). Further, "[i]f the assistance unit has income equal to or less than the initial maximum allowable income level for the appropriate unit size, then WFNJ/TANF initial financial eligibility exists." See N.J.A.C. 10:90-3.2(a). For an assistance unit of two, effective January 1, 2019, the maximum allowable income level is \$638. See N.J.A.C. 10:90-3.3(a); see also DFD Informational Transmittal ("IT") No. 19-21.

In accordance with N.J.A.C. 10:90-3.9(b), child support payments received are considered income for purposes of determining WFNJ/TANF benefits eligibility. N.J.A.C. 10:90-3.8(h) permits for up to \$200 disregard of child support income in determining initial eligibility for WFNJ/TANF benefits and cash assistance benefits computation "provided that the total amount of child support received for that month is less than the monthly WFNJ grant amount." See also DFD Instruction ("DFDI") 23-12-02; see also DFD IT 25-02.

Here, the record reveals that Petitioner applied for WFNJ/TANF benefits on December 9, 2025, and completed a telephone interview with the Agency on December 10, 2025. See Initial Decision at 2; see also Exhibit R-1. On December 11, 2025, the Agency denied Petitioner's WFNJ/TANF application due to her earned and unearned income putting her



above the allowable WFNJ/TANF initial eligibility level. See Initial Decision at 2-3. Based upon the record presented, Petitioner receives an average of \$520 per month in child support. See Initial Decision at 2. Additionally, Petitioner has resided at a hotel since February, 2025, where she pays \$1,200 for housing per month, as part of an arrangement with hotel management whereby she also works part-time for the hotel. Ibid. Petitioner earns \$15.25 per hour and works twenty-four hours per week, as evidenced by a recent paystub showing a gross pay amount of \$1,602.37 for a two-week period. See Initial Decision at 3; see also Exhibit R-8. Based upon the earned income from her part-time employment, as well as the unearned income from child support, the Agency determined that Petitioner's income exceeded the maximum allowable income amount of \$638 for an AU of two. See Initial Decision at 3; see also Exhibit R-9, N.J.A.C. 10:90-3.3(a), and DFD IT No. 19-21.

Based on the foregoing, the ALJ concluded that Petitioner is ineligible for WFNJ/TANF benefits, and as such, the Agency's denial of Petitioner's application for WFNJ/TANF benefits was proper and must stand, as the Petitioner's monthly income exceeds the initial eligibility threshold amount of \$638. See Initial Decision at 3-6; see also N.J.A.C. 10:90-3.1(c), -3.3(b), -3.8(h). I agree.

In order to determine eligibility for SNAP benefits, mandatory verification of certain information is required, such as household income, both earned and unearned income. See N.J.A.C. 10:87-2.14, -2.19, -2.20. Without said verification of required information, SNAP eligibility cannot be determined or granted. Ibid. In this matter, the Petitioner was actively receiving SNAP benefits, when, based upon the information provided during the WFNJ/TANF interview, the Agency sent a letter to Petitioner requesting verification of her gross income from her employer. See Exhibit R-1. Petitioner did not submit the income verification, and on December 22, 2025, the Agency terminated Petitioner's SNAP benefits. Ibid. The ALJ in this matter found that Petitioner's income evidenced that her income exceeded the maximum allowable gross income level for a household of two persons for SNAP benefits eligibility. See Initial Decision at 5. Respectfully, I disagree as to the reasoning cited within the Initial Decision. The SNAP benefits termination in this matter was based upon Petitioner's failure to submit her income verification/paystubs as requested by the Agency. See Exhibits R-5, R-6, R-7, and R-8. Based upon the documentary evidence submitted at the hearing, the Agency is not in receipt of the information requested in order to determine Petitioner's gross monthly income, which was specified to be "an employer letter which indicates hourly wage, how many hours you work each week and frequency in which you are paid. If you cannot obtain an employer letter then please provide 4 recent paystubs which would reflect this." See Exhibit R-7. The Initial Decision is modified to include the above analysis and findings.

Finally, the transmittal in this matter included reference to an Emergency Assistance ("EA") denial, and the ALJ included information and analysis to same, however, Petitioner never completed an application for EA benefits, and as such, there was no adverse action to appeal regarding EA benefits. The Initial Decision indicates that only WFNJ and SSI benefits recipients are eligible for EA benefits, which is accurate. See Initial Decision at 6; see also N.J.A.C. 10:90-6.2(a). As such, the ALJ concludes that Petitioner would not be eligible for EA benefits due to her WFNJ/TANF application denial. Ibid. The Initial Decision is modified to include that Petitioner did not apply for EA benefits and thus, the Agency did not make any determination regarding same, including that there was no denial of EA benefits to Petitioner.

By way of comment, Petitioner is without prejudice to reapply for SNAP benefits, if she has not already done so, but must timely provide all information and documentation requested in order to determine eligibility. Petitioner is advised to communicate directly with the Agency with regards to the application and any required documentation.

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

Officially approved final version. February 04, 2026

Natasha Johnson
Assistant Commissioner

