State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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STEPHEN CHA, MD, MHSR
Commissioner

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 **20553-25 E.C.**

AGENCY DKT. NO. **C298242020** (**UNION COUNTY DIVISION OF SOC. SVCS.**)

Petitioners E.C. and J.G. challenge the correctness of the Respondent Agency's claim for recovery of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits issued to Petitioners between September, 2024, and January, 2025, and Supplemental Nutrition Assistance Program ("SNAP") benefits issued to Petitioners between September, 2024, and January, 2025. The Agency asserts that Petitioners received WFNJ/TANF and SNAP benefits to which they were not entitled, thereby resulting in overissuances of benefits which must be repaid. Because Petitioners appealed, the matters were transmitted to the Office of Administrative Law ("OAL") for a hearing. On January 16, 2026, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence. On September 30, 2026, the ALJ issued Initial Decisions, 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 considered the ALJ's Initial Decision, and following an independent review of the record, I hereby MODIFY the ALJ's Initial Decisions, and AFFIRM the Agency actions, based on the discussion below.

In the instance of an overpayment of benefits, the Agency must recoup the overissuance. See N.J.A.C. 10:87-11.20. One type of overpayment which is subject to recoupment is one which results from "a misunderstanding or unintended error on the part of the household" receiving benefits, called an "Inadvertent Household Error" ("IHE"). See N.J.A.C. 10:87-11.20(e)(2). Repayment of overissuances may be sought for up to six years following the time that the Agency becomes aware of the overpayment. See N.J.A.C. 10:87-11.20(f)(1)(i).

Similarly, under the WFNJ regulations, a WFNJ benefits recipient is required to satisfy any repayment obligation pursuant to state or Federal law governing public assistance. See N.J.A.C. 10:90-2.2(a)(7). WFNJ assistance units are required to inform the Agency of any change in income and circumstances that would affect eligibility no later than 10 days after the change happened, or in the case of earnings, no later than 10 days from the date of receipt of the first paycheck. See N.J.A.C. 10:90-3.11(e); see also N.J.A.C. 10:87-9.5(b)(1)(i) (requiring a SNAP household to report a change in income within 10 days from the day of receipt of the first paycheck).

Here, the record reflects that Petitioners failed to accurately report income earned from J.G.'s employer during the time when the SNAP household, of which both E.C. and J.G. were members of, received both WFNJ/TANF and SNAP benefits. See Initial Decision at 2; see also Exhibit R-1. Taking into consideration Petitioner's earned income, the

Agency determined that WFNJ/TANF benefits had been overissued in the amount of $2,912 from September, 2024, through January, 2025, and that SNAP benefits had been overissued in the amount of $4,686 from September, 2024, through January, 2025. Ibid. Based on the foregoing, the ALJ in this case found that the Agency had met its burden in establishing, by a preponderance of the credible evidence, that Petitioners had received an overissuance of SNAP benefits to which they were not entitled, which must now be repaid. See Initial Decision at 2, 4; see also N.J.A.C. 10:87-5.4(a)(1), -9.5, -11.20, N.J.A.C. 10:90-3.21(a)(1), (2), (3). I agree, however, the Initial Decisions in this matter are modified to reflect that the ALJ included the amount of WFNJ/TANF benefits to be recouped within the SNAP Initial Decision, as well as modified to reflect that the Initial Decisions in this matter should have reflected overissuances for WFNJ/TANF, as well as SNAP, benefits.

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

Accordingly, the Initial Decision in this matter is hereby MODIFIED, and the Agency's determinations are AFFIRMED, as outlined above.

Officially approved final version. October 29, 2026

Natasha Johnson
Assistant Commissioner