



State of New Jersey

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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 **02175-26 J.D.**

AGENCY DKT. NO. **C263766009 (HUDSON COUNTY DIVISION OF WELFARE)**

Petitioner Agency charges Respondent with committing an intentional program violation ("IPV"), as defined by N.J.A.C. 10:87-11.3 and 7 C.F.R. 273.16(c), of the Supplemental Nutrition Assistance Program ("SNAP"), and seeks to impose a 10-year disqualification period from receipt of SNAP benefits against Respondent. The Agency asserts that Respondent received SNAP benefits from another state, while simultaneously receiving SNAP benefits from the State of New Jersey, thus causing Respondent to receive an overissuance of benefits to which she was not entitled. Respondent was properly noticed of the Administrative Disqualification Hearing, the charges against her, and the proposed disqualification penalty, which was confirmed via e-mail, on December 17, 2025. See Exhibit P-2; see also N.J.A.C. 10:87-11.5(a)(3)(i) and 7 C.F.R. 273.16(e)(3)(i). Because Respondent failed to execute and return the waiver of her right to a hearing, the matter was transmitted to the Office of Administrative Law for a hearing as a contested case. On February 17, 2026, and continuing on March 2, 2026, the Honorable Gerard Hughes, Administrative Law Judge ("ALJ") held a telephonic plenary hearing, took testimony, and admitted documents.

In accordance with applicable regulatory authority, a SNAP benefits household must reside in the county and State in which it files for benefits, and may not collect SNAP benefits from more than one location simultaneously. See N.J.A.C. 10:87-3.2(a); see also 7 C.F.R. 273.3. Additionally, SNAP benefits households are required to report certain changes within 10 days which can affect eligibility and/or allotment amount, including a change in residence. See N.J.A.C. 10:87-9.5(a)(2), (b)(1)(iv); see also 7 C.F.R. 273.12.

IPVs occur when SNAP benefits are issued as the result of an intentionally false or misleading statement, misrepresentation, concealment or withholding of facts, or when SNAP benefits are improperly used, presented, transferred, acquired, possessed, received or trafficked. See N.J.A.C.10:87-11.3(a)(1), (2); see also 7 C.F.R. 273.16. An individual found to have made a fraudulent statement or representation with respect to the identity or place of residence of the individual in order to receive multiple SNAP benefits simultaneously shall be ineligible to participate in the program for a period of 10 years. See N.J.A.C. 10:87-11.2(e); see also 7 C.F.R. 273.16(b)(5).

On March 12, 2026, the ALJ issued an Initial Decision, which found that the Agency had failed to meet its burden in establishing, by clear and convincing evidence, that Respondent had deliberately and intentionally withheld information from the Agency, which resulted in Respondent receiving an overissuance of SNAP benefits, to which she was not entitled. See Initial Decision at 2-6; see also N.J.A.C. 10:87- 3.2, -3.3, -11.3(a), -11.5(a)(6), 7 C.F.R. 273.16(c)(1), and 7 C.F.R. 273.16(e)(4). Specifically, based upon the testimonial and documentary evidence presented at the time of the hearing, the ALJ found that Respondent had potentially been the victim of identity theft and that her information may have



been used out of state, in New York, in order to apply for and receive SNAP benefits, without her knowledge. See Initial Decision at 2-6.

Based upon the record presented, the ALJ concluded that there was no proof that Respondent misrepresented, concealed, or withheld facts in order to obtain SNAP benefits during the periods of May, 2022 to January, 2023, in addition to the period of January, 2024, to March, 2024, as well as August, 2024, to November, 2024. See Initial Decision at 5-6. Accordingly, because the ALJ concluded that the Agency did not present clear and convincing evidence that Respondent had committed an IPV, the ALJ found that Respondent had not committed an IPV, and dismissed the Agency's action seeking to recover the overissuance and impose a disqualification period from receipt of SNAP benefits. See Initial Decision at 5-6; see also N.J.A.C. 10:87-11.5(a)(6) and 7 C.F.R. 273.16(c)(1). Based on an independent review of the record, I agree with the ALJ's conclusions in this matter.

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the Initial Decision in this matter, and following an independent evaluation of the record, I concur with the ALJ's decision, and hereby adopt the Findings of Fact and Conclusion of Law in this matter. See 7 C.F.R. 273.16(e)(6).

Accordingly, based upon the foregoing, I hereby ADOPT the Initial Decision in this matter.

Officially approved final version. March 20, 2026

Natasha Johnson
Assistant Commissioner

