



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT
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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 17614-25 L.C.

AGENCY DKT. NO. **C100114011 (MERCER COUNTY BOARD OF SOC. SVCS..)**

Petitioner challenges the correctness of the Respondent Agency's reduction of her monthly Supplemental Nutrition Assistance Program ("SNAP") benefits allotment, at recertification. Petitioner's SNAP benefits allotment was reduced, at recertification, due to a change in household income. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. The matter was initially scheduled for December 23, 2025, at which time Petitioner failed to appear. On December 26, 2025, Petitioner submitted a request to reschedule the hearing, which was granted. On January 5, 2026, the Honorable Andrea Spevak, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents into evidence. The record was then held open to allow for the submission of additional documentation and closed on January 13, 2026. On January 26, 2026, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were filed.

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, the ALJ's Initial Decision is hereby ADOPTED, and the Agency determination is AFFIRMED, based on the discussion below.

N.J.A.C. 10:87-2.2(a)(3) states that a household is comprised "a group of individuals living together for whom food is purchased in common and for whom meals are prepared together for home consumption[.]"

Regulatory authority applicable to SNAP benefit cases, defines income as "all income from whatever source unless such income is specifically excluded." See N.J.A.C. 10:87-5.3. In order to determine an applicant's eligibility for SNAP, the applicant's income and resources must be below a certain threshold. In accordance with N.J.A.C. 10:87-5.9(a)(13), the income of a student at an institution of higher education is excluded from the household if the student is ineligible for receipt of benefits. However, a student may remain eligible for SNAP benefits when meeting certain criteria, including that the student works at least twenty hours per week and earns income at least equal to the Federal minimum wage multiplied by twenty hours. See N.J.A.C. 10:87-3.14.

Here, the record shows that, effective October 1, 2025, as a result of a recertification for benefits, the Agency recalculated Petitioner's SNAP benefits allotment amount based on a change in Petitioner's household income, namely, Petitioner's son, who was a college student residing in Petitioner's home, while being employed at least twenty hours per week. See Initial Decision at 2-3; see also Exhibit P-1. The recalculation of benefits included consideration of Petitioner's son's earned income of \$2,204 per month, as he was employed more than twenty hours per week and earned income at least equal to the Federal minimum wage, multiplied by twenty hours, as set forth in regulation. See Initial Decision at 3; see



also Exhibit R-5. Further, the recalculation of benefits included the removal of the shelter expense deduction, as Petitioner began receiving full monthly rental assistance during May, 2025. See Initial Decision at 3; see also Exhibit R-4. Based upon the change in household income, as well as the change in the shelter cost, Petitioner's monthly SNAP benefits were reduced from \$512 per month to \$378 per month. See Initial Decision at 3; see also Exhibit P-1.

Based on the foregoing, the ALJ found that Petitioner's son is eligible for SNAP benefits, as he works more than twenty hours per week and earns income at least equal to the Federal minimum wage multiplied by twenty hours. See Initial Decision at 4; see also N.J.A.C. 10:87-3.14. As such, the Agency properly included Petitioner's son's earned income when calculating the household's monthly SNAP benefits amount. Ibid. Accordingly, the ALJ concluded that the Agency's determination of Petitioner's monthly SNAP benefits allotment, based on Petitioner's revised household income, and removal of a shelter deduction, was proper and must stand. See Initial Decision at 4. Based on an independent review of the record, I agree.

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

Officially approved final version. February 05, 2026

Natasha Johnson
Assistant Commissioner

