



State of New Jersey

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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 **10537-26 N.B.**

AGENCY DKT. NO. **S956096009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from the Respondent Agency's reduction of Supplemental Nutrition Assistance Program ("SNAP") benefits. Petitioner's SNAP benefits were reduced when the Agency became aware of previously unreported household income, which resulted in an increase of Petitioner's total household income. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 27, 2026, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, admitted documents into evidence, and the record then closed. On September 8, 2026, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to this 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, I hereby ADOPT the ALJ's Initial Decision and AFFIRM the Agency determination, based on the discussion below.

Households determined eligible for SNAP benefits are certified for said benefits for a definite period of time. See N.J.A.C. 10:87-6.20. County Social Service Agencies ("CSSAs") assign the longest certification periods possible based upon the predictability of the household's circumstances. Ibid. N.J.A.C. 10:87-9.5(a) states, in pertinent part, "Simplified reporting cases consist of earned income and unearned income households. The certification period is for 12 months with a six-month interim contact." An IRF is sent to the household at the six-month interim contact point for a household with a 12-month certification period. See N.J.A.C. 10:87-9.5(a)(3). The CSSA shall mail the IRF to the SNAP benefits recipient in the fifth month, and if the IRF is not received timely, the case shall go into suspension for a month. See 10:87-9.5(a)(3)(i). If no contact is made or the verification is not received during the suspension month, the case will close. Ibid. An IRF must be completed in all cases. Ibid. If the recipient's case closes, a new application must be filed by the household in order to receive SNAP benefits. Ibid.

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. Additionally, for SNAP benefits cases, unearned income includes Unemployment Insurance Benefits ("UIB"). See N.J.A.C. 10:87-5.5(a)(2).

Here, the record demonstrates that Petitioner's SNAP household had a 12-month certification period, and that Petitioner was sent an IRF for continued SNAP benefits. See Exhibit R-1. Prior to the submission of Petitioner's IRF, Petitioner received a monthly SNAP benefit allotment of \$994, for a household of four persons, with a monthly household income



totaling \$695 in Supplemental Security Insurance (“SSI”) benefits. See Exhibit R-2 at 2. Petitioner returned the IRF to the Agency in May, 2026, and the Agency discovered that Petitioner’s household had received \$1,924, per month, in UIB, and that these benefits were previously unreported. See Initial Decision at 2, 3; see also Exhibits R-2, R-3.

As a result of the additional unreported UIB benefits, Petitioner’s monthly household income had increased from \$695 per month to \$2,619 per month. See Initial Decision at 2; see also Exhibit R-2. Accordingly, on May 13, 2026, because of the increase in Petitioner’s total household income, the Agency notified Petitioner that, effective June 1, 2026, her SNAP benefits would be reduced from \$994, per month to \$628, per month. See Initial Decision at 2, 3; see also Exhibit R-2, and N.J.A.C. 10:87-5.4, -5.5, and -6.16(b).

Based on the foregoing, the ALJ concluded that the unearned income from UIB was correctly included in the SNAP benefits allotment calculation, and as a result, Petitioner’s SNAP benefits were properly reduced by the Agency. See Initial Decision at 3; see also Exhibit R-2; see also N.J.A.C. 10:87-6.12(c) and -6.16(b). I agree.

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

Officially approved final version. September 24, 2026

Natasha Johnson
Assistant Commissioner

