State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT
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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 **11521-26 N.J.**

AGENCY DKT. NO. **C249087009** (**HUDSON COUNTY DEPT OF FAM SVCS**)

Petitioner appeals from the Respondent Agency's termination of Supplemental Nutritional Assistance Program ("SNAP") benefits at recertification. The Agency terminated Petitioner's SNAP benefits, at recertification, contending that Petitioner's countable household income exceeded the maximum permissible level for receipt of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On September 22, 2026, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents. On September 29, 2026, the ALJ issued an Initial Decision, affirming the Agency's determination.

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

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. "Earned income" is defined, in pertinent part, as "[a]ll wages and salaries received as compensation for services performed as an employee[.]" See N.J.A.C. 10:87-5.4(a)(1). In order to determine an applicant's eligibility for SNAP, the applicant's income and resources must be below a certain threshold. N.J.A.C. 10:87-6.16(d)(2), states that households that do not contain an elderly or permanently disabled household member must meet both the gross income test, as well as the net income test, meaning that the respective income amounts must be below the established standards. See also N.J.A.C. 10:87-12.3, -12.4.

Gross income is determined by adding together the household's monthly earned and unearned income, minus any earned income exclusions. See N.J.A.C. 10:87-6.16(b), (b)(1). That total gross income amount is then utilized to determine a household's SNAP eligibility in accordance with N.J.A.C. 10:87-6.16(d)(1) and (2). The maximum allowable gross income level for a household of four persons for SNAP benefits eligibility is $4,957. See DFD Instruction ("DFDI") 25-09-02 at 14.

Here, the record reflects that Petitioner was due for a recertification of benefits and that, as part of such application, Petitioner provided paystubs from her spouse's two employers. See Initial Decision at 3; see also Exhibit R-1. Based on the paystubs provided, the Agency calculated the total monthly gross income of the household to be $5,727.93. Ibid. Thereafter, the Agency terminated Petitioner's SNAP benefits at recertification, due to the household income exceeding the maximum allowable gross income level for receipt of SNAP benefits. See Initial Decision at 3-5; see also Exhibit R-1,

and N.J.A.C. 10:87-6.16(b), -12.4. The maximum allowable gross income amount for SNAP eligibility, for a household of four persons, at the time of Petitioner's recertification for SNAP benefits was $4,957, and as Petitioner's household's gross income was determined to exceed that threshold, Petitioner's household was found ineligible for continued SNAP benefits, effective June 1, 2026. See Initial Decision at 3-5; see also DFDI 25-09-02 at 14, and Exhibit R-1. Based on the foregoing, the ALJ found that the Agency's termination of Petitioner's SNAP benefits at recertification was proper and must stand. See Initial Decision at 3-5. I agree.

By way of comment, Petitioner is without prejudice to reapply for SNAP benefits, should her circumstances change.

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

Officially approved final version. October 15, 2026

Natasha Johnson
Assistant Commissioner