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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 **22056-25 N.S.**

AGENCY DKT. NO. **C316870007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner challenges the correctness of the Respondent Agency's calculation of his monthly Supplemental Nutrition Assistance Program ("SNAP") benefits allotment, at recertification. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 29, 2026, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was then held open until February 2, 2026, to allow for the submission of additional documentation and then closed. On February 13, 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 reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Regulatory authority applicable to SNAP benefits 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 survivors, disability, and Social Security benefits for both adults and children in the household. See N.J.A.C. 10:87-5.5(a)(2).

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. 10:87-6.16(d)(1), households which contain an elderly or permanently disabled individual, as defined by N.J.A.C. 10:87-2.34, must meet the net income test for SNAP eligibility. 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.

N.J.A.C. 10:87-6.16(b) further outlines the procedures used to calculate both gross and net income for SNAP benefits purposes, and the applicable benefit levels, if eligible. The regulation provides that the applicant's monthly net income is determined by adding together all earned and unearned income, then subtracting all income exclusions. Then, the standard deduction, based upon the size of the household, is subtracted from the income.

Thereafter, the household is evaluated to determine if a medical deduction is appropriate, which is if the household has medical expenses that exceed \$35.00. If the household is entitled to a medical deduction, then the amount in excess of \$35.00 is subtracted from the applicant's income. Then, the applicant is evaluated for an excess shelter deduction.



Such a deduction is permitted when the individual's shelter costs exceed 50% of their net income. If this deduction is allowable, then the difference between the shelter costs and the 50% net income, or up to the maximum allowable amount, is subtracted from the individual's income. The remaining figure is Petitioner's net income for SNAP benefits purposes. This net income is then compared against the maximum allowable net income amount for the household's size, as outlined at N.J.A.C. 10:87-12.3, to determine eligibility. If eligible, the household's monthly SNAP allotment shall be equal to the maximum food stamp allotment for the household's size, reduced by 30 percent of the household's net monthly income. See N.J.A.C. 10:87-12.6(a)(1).

Here, the record reflects that Petitioner was due for a recertification of SNAP benefits, which was processed on November 1, 2025, for a household of one person. See Initial Decision at 2. The household income is comprised of unearned income in the form of Retirement, Survivors and Disability Insurance ("RSDI") benefits of \$707 per month, as well as monthly Supplemental Security Income ("SSI") benefits in the amount of \$311 per month. See Initial Decision at 2; see also Exhibit R-1. As of January 1, 2026, Petitioner's RSDI benefits increased to \$726 per month, and his SSI increased to \$319. Ibid. The change in the amount of RSDI and SSI benefits resulted in a reduction Petitioner's monthly SNAP benefits allotment from \$286 per month to \$274 per month. Ibid. As Petitioner's household contains a permanently disabled person, only the net income standard must be met for continued SNAP eligibility. See N.J.A.C. 10:87-6.16(d)(1); see also N.J.A.C. 10:87-2.34(b)(2) (defining a disabled household member as one who receives Social Security disability benefits, including those under Title II, known as RSDI benefits).

After factoring the household's total unearned income from RSDI and SSI benefits into the SNAP eligibility calculations, the standard deduction for a household of one person of \$209 was applied, together with the inclusion of the Heating and Cooling Standard Utility Allowance ("HCSUA") of \$977, and shelter costs of \$198, the household's net income, for SNAP eligibility purposes, was calculated to be \$79. See Exhibit R-1; see also N.J.A.C. 10:87-6.16(b)(8) and DFDI 25-09-02 at 12. That amount was then multiplied by .3 and rounded up, or \$24. See N.J.A.C. 10:87-12.6(a)(1)(i)-(ii). That amount was then subtracted from the maximum benefit for a household of one, \$298, resulting in an allotment amount of (\$298 - \$24) \$274. See N.J.A.C. 10:87-12.6(a)(1)(iii); see also DFDI 25-09-02 at 12.

Based on the foregoing, the ALJ concluded that the Agency had properly calculated Petitioner's monthly SNAP benefits allotment in this matter. See Initial Decision at 2-4. I agree, but modify the Initial Decision in this case to include the above analysis and findings.

Additionally, at the time of the hearing, Petitioner contended that he did not receive two months of benefit payments and that his electronic benefits card had been locked. See Initial Decision at 2. A review of the benefits history in the record indicated that benefits, in the amount of \$286, were added on November 1, 2025, of which \$272.40 was used. Ibid.; see also Exhibit R-1. At some point, a discussion regarding potential "skimming" of benefits occurred, however, the record in this matter does not indicate such occurrence, nor would Petitioner be entitled to any replacement benefits. See Initial Decision at 2-3. The record further reveals that Petitioner's SNAP benefits, in the amount of \$286, were added to his benefits account on December 1, 2025. See Initial Decision at 4; see also Exhibit R-1. Further, on January 1, 2026, \$274 of SNAP benefits were added to Petitioner's benefits account. Ibid.

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

Officially approved final version. March 10, 2026

Natasha Johnson
Assistant Commissioner

