State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT
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STEPHEN CHA, MD, MHSR
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 **08053-26 O.C.**

AGENCY DKT. NO. **C274039004** (**CAMDEN-CCBSS**)

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency denied Petitioner SNAP benefits, contending that Petitioner's household monthly gross income exceeds the maximum permissible level for receipt of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 17, 2026, the Honorable Robert D. Herman, Administrative Law Judge ("ALJ,") held a plenary hearing via Zoom, took testimony, admitted documents, and the record closed. On September 2, 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, I hereby ADOPT the Initial Decision, and AFFIRM the Agency's determination, 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). Additionally, for SNAP benefits cases, unearned income includes unemployment compensation. 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.

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).

Here, the record reflects that on April 9, 2026, Petitioner applied for SNAP benefits, for a household comprised of four people. See Initial Decision at 2; see also Exhibit R-1 at 34-37. On April 20, 2026, during the Agency's interview with Petitioner, Petitioner advised the Agency that she was homeless and that her spouse, L.C., did not live with her. See Initial Decision at 2. Petitioner also informed the Agency that one of her children is a full-time college student and resides

at the college, out-of-state. Ibid.; see also Exhibit P-1. Accordingly, the size of Petitioner's household was reduced to two. See Initial Decision at 2.

In support of her April 9, 2026, application for SNAP benefits, Petitioner provided copies of paystubs, dated April 2, 2026, and April 22, 2026. See Initial Decision at 2; see also Exhibit R-1 at 17-18. The paystubs indicated that during those bi-weekly pay periods, Petitioner earned a gross total of $2,426, and $246, respectively. Ibid. During its review of Petitioner's April 9, 2026, SNAP application, the Agency discovered that Petitioner applied for, and received, Unemployment Insurance Benefits ("UIB"). See Initial Decision at 3; see also Exhibit R-1 at 20. The Agency combined Petitioner's income earned from employment, $2,672, with the amount Petitioner received in UIB, $2,205, and determined that her household income for the month of April, 2026, totaled $4,877. See Initial Decision at 3; see also Exhibit R-1 at 9, 17, 18, 20 and N.J.A.C. 10:87-6.16(b).

The maximum allowable monthly gross income level to receive SNAP benefits for a household of two is $3,261. See Initial Decision at 4; see also N.J.A.C. 10:87-6.16(b), and DFD Instruction ("DFDI") 25-09-02 at 14. Since Petitioner's monthly household gross income exceeded the maximum level allowable for receipt of SNAP benefits, the Agency denied Petitioner's application, by notice dated May 11, 2026. See Initial Decision at 3; see also Exhibit R-1 at 6-7. Based on the foregoing, the ALJ concluded that the Agency had properly denied Petitioner's application for SNAP benefits. See Initial Decision at 4-5. Based on an independent review of the record, I agree with the conclusion of the ALJ.

The ALJ in this matter, for the sake of completion, noted that even with calculating eligibility for a household of three persons, and using the household's total unearned income of $3,297, and applying a homeless shelter allowance of $199, Petitioner's net income of $2,889 still exceeded the maximum allowable net income for the household size, of $2,221, and therefore, the household nonetheless remained ineligible. See Initial Decision at 5; see also Exhibit R-1 at 13 and DFDI 25-09-02 at 13. I also agree.

By way of comment, Petitioner is without prejudice to reapply for SNAP benefits.

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

Officially approved final version. October 08, 2026

Natasha Johnson
Assistant Commissioner