State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
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 **08460-26 D.S.**

AGENCY DKT. NO. **C284973020** (**UNION COUNTY DIVISION OF SOC. SVCS.**)

Petitioner Agency charges Respondents, D.S. and J.S. (docketed separately under Office of Administrative Law ("OAL") Docket Nos. HPW 08460-26 (D.S.) and HPW 08632-26 (J.S.), respectively), with committing intentional program violations ("IPVs"), as defined by N.J.A.C. 10:87-11.3 and 7 C.F.R. 273.16(c), of the Supplemental Nutrition Assistance Program ("SNAP") and, as defined by N.J.A.C. 10:90-11.1(a), the Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") Program. The Agency asserts that Respondents intentionally failed to accurately report receipt of earned income when they applied for, and received, SNAP and WFNJ/TANF benefits, thus causing Respondents to receive overissuances of benefits to which they were not entitled. Respondents were sent notice of the Administrative Disqualification Hearings, the charges against them, and the proposed disqualification penalties on April 13, 2026, by certified mail. See Exhibit P-6; see also N.J.A.C. 10:87-11.5(a)(3)(i) and 7 C.F.R. 273.16(e)(3)(i). Because Respondents failed to execute and return the waivers of their right to a hearing, the matter was transmitted to the Office of Administrative Law for a hearing as a contested case.

On June 10, 2026, the Honorable Sudha V. Raja, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. Respondents did not appear for the hearing, and the matter proceeded ex parte, which is permissible pursuant to regulation. See N.J.A.C. 1:10-14.1(d), N.J.A.C. 10:87-11.5(a)(4)(i), and 7 C.F.R. 273.16(e)(4). Respondents were given ten days following the hearing to present good cause for their failure to appear. See 7 C.F.R. 273.16(e)(4). Also on June 10, 2026, counsel for Respondents contacted the Agency and informed the Agency representative that the Respondents were unable to appear as the hearing information provided was invalid. See Initial Decision at 3. Based upon this assertion, on July 7, 2026, the ALJ held an additional plenary hearing, took testimony, and admitted documents, and the record was closed. Of note, the Initial Decision in this matter was authored to include both Respondents, however, the ALJ in this matter did not consolidate Respondents' separate matters pursuant to N.J.A.C. 1:1-17.3(a).

On July 28, 2026, the ALJ issued an Initial Decision, which found that the Agency had met its burden in establishing, by clear and convincing evidence, that Respondents had deliberately and intentionally withheld information from the Agency, which resulted in Respondents receiving an overissuance of SNAP benefits, as well as an overissuance of WFNJ/TANF benefits, to which they were not entitled. See Initial Decision at 2-5; see also Exhibits P-1, P-2, P-3, P-4, P-7, and N.J.A.C. 10:87-11.3(a), -11.5(a)(6), N.J.A.C. 10:90-11.1(a), 7 C.F.R. 273.16(c)(1), 7 C.F.R. 273.16(e)(4). Specifically, the ALJ found that Respondents intentionally provided false or misleading statements and misrepresented facts, and/or intentionally withheld or concealed facts relating to their claims that they were unemployed, in order to receive benefits to which they were not entitled. Ibid. Such misrepresentations resulted in an overissuance of SNAP benefits to Respondents in the amount of $3,474.00 for the period of August, 2023 through December, 2023, as well as an overpayment of WFNJ/

TANF benefits of $3,198.00 for the period of August, 2023 through December, 2023. See Initial Decision at 2-5; see also Exhibits P-1, P-2, P-3, P-4, P-7, and N.J.A.C. 10:87-5.2(a)(1), -9.5(a)(3), -11.3, 7 C.F.R. 273.16(c), and N.J.A.C. 10:90-1.13(b). I agree.

As these were the first IPVs committed by Respondents, the ALJ ordered the mandatory regulatory penalty of a 12-month disqualification from receipt of SNAP benefits, pursuant to N.J.A.C. 10:87-11.2(a)(1) and the mandatory regulatory penalty of a 6-month disqualification from receipt of WFNJ benefits. See Initial Decision at 4-5; see also 7 C.F.R. 273.16(b)(1)(i), N.J.A.C. 10:90-11.11(a)(1).

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the Initial Decision in this matter, and following an independent evaluation of the record, I concur with the ALJ's decision, and hereby adopt the Findings of Fact and Conclusion of Law in this matter. See 7 C.F.R. 273.16(e)(6).

I direct that the Agency proceed to recoup the overissuances of SNAP and WFNJ/TANF benefits. See N.J.A.C. 10:87-11.20; see N.J.A.C. 10:90-3.21(a), see also 7 C.F.R. 273.18.

Accordingly, based upon the foregoing, I hereby ADOPT the Initial Decision in this matter, and ORDER that Respondents are disqualified from receipt of SNAP benefits for a period of 12 months, and receipt of WFNJ/TANF benefits for a period of 6 months. I further ORDER that the Agency is to recoup the overissuance.

Officially approved final version. October 01, 2026

Natasha Johnson
Assistant Commissioner