



State of New Jersey

MIKIE SHERRILL
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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STEPHEN CHA, MD, MHSR
Commissioner

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TRENTON, NJ 08625-0716

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 19251-25 M.H.

AGENCY DKT. NO. C227598020 (UNION COUNTY DIVISION OF SOC. SVCS.)

Petitioner Agency charges Respondents, A.K. and M.H.K. (docketed separately under Office of Administrative Law ("OAL") Docket Nos. HPW 19250-25 (A.K.) and OAL Docket No. HPW 19251-25 (M.H.K.) respectively), with committing an intentional program violation ("IPV"), 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"). The Agency asserts that Respondents intentionally failed to accurately report receipt of unearned income while they received SNAP benefits, thus causing Respondents to receive an overissuance of benefits to which they were not entitled. Respondents were sent notice of the Administrative Disqualification Hearing, the charges against them, and the proposed disqualification penalty. See Exhibit P-1; see also N.J.A.C. 10:87-11.5(a)(3)(i) and 7 C.F.R. 273.16(e)(3)(i). As no return receipt was received for the Certified Mail, an Agency representative contacted Respondents via telephone on September 30, 2025, to confirm details regarding the hearing. Ibid. Because Respondents failed to execute and return the waiver of their right to a hearing, the matter was transmitted to the Office of Administrative Law for a hearing as a contested case. On December 16, 2025, and continuing on January 22, 2026, the Honorable Sandra L. Lascari, Administrative Law Judge ("ALJ"), consolidated Respondents' separate matters and held an administrative disqualification hearing, took testimony, admitted documents, and the record closed.

On February 12, 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, to which they were not entitled. See Initial Decision at 3-5; see also Exhibits P-1, P-2, P-3, P-4, P-4A, P-4B, P-5, P-6, P-8, P-9, and N.J.A.C. 10:87-11.3(a), -11.5(a)(6), 7 C.F.R. 273.16(c)(1) and 7 C.F.R. 273.16(e)(4). IPV's occur where the person intentionally "made a false or misleading statement, or misrepresented, concealed or withheld facts." See N.J.A.C. 10:87-11.3 and 7 C.F.R. 273.16(c).

The ALJ found that Respondents intentionally failed to accurately report their unearned income, in the form of Retirement, Survivors, and Disability Insurance ("RSDI"), being received for M.H.K. and her minor child. See Initial Decision at 3; see also Exhibits P-4, P-4A, P-4B, and P-9. The receipt of RSDI benefits was not reported on various Interim Reporting Forms ("IRFs") which would have made their household ineligible to receive SNAP benefits. See Initial Decision at 3-5; see also Exhibits P-1, P-2, P-3, P-4, P-4A, P-4B, P-5, P-6, P-8, P-9, and N.J.A.C. 10:87-5.2(a)(1), -9.5(a)(3). Such misrepresentations of unearned income received resulted in an overissuance of SNAP benefits to Respondents in the amount of \$19,757 for the period of October, 2019 through July, 2022. See Initial Decision at 3-5; see also Exhibits P-1, P-2, P-3, P-4, P-4A, P-4B, P-5, P-6, P-8, P-9.



As this was the first IPV 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). See Initial Decision at 5; see also 7 C.F.R. 273.16(b)(1)(i).

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).

By way of comment, the Agency established the claim in this matter during May, 2024, and thereafter initiated garnishment proceedings through the Social Security Administration against the benefits being paid to Respondents. With the previous garnishment amounts applied, the outstanding balance of the overissuance, as of February 1, 2026, was \$14,552.17. See Initial Decision at 4; see also Exhibit P-8.

I direct that the Agency continue to recoup the overissuance pursuant to N.J.A.C. 10:87-11.20 and 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. I further ORDER that the Agency is to continue to recoup the overissuance.

Officially approved final version. March 26, 2026

Natasha Johnson
Assistant Commissioner

