



## State of New Jersey

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*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 **07644-26 V.F.**

AGENCY DKT. NO. **S656339012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutritional Assistance Program ("SNAP") benefits. The Agency denied Petitioner SNAP benefits 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 July 29, 2026, the Honorable Tama B. Hughes, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents. On August 12, 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 three persons for SNAP benefits eligibility at the time of Petitioner's application was \$4,109. See DFD Instruction ("DFDI") 25-09-02 at 14.

Here, the record reflects that Petitioner applied for SNAP benefits, on behalf of her household of three, on March 16, 2026. See Initial Decision at 2; see also Exhibit R-1. During the application process, Petitioner submitted paystubs for March, 2026, as well as information regarding child support payments. Ibid. Based upon the paystubs submitted, Petitioner's earned income was calculated to be \$2,460 per month, and her unearned income, via child support payments, was calculated to be \$1,818.87 per month. See Initial Decision at 2; see also Exhibit s, R-2, R-8. The Agency determined



that the household's monthly gross income was \$4,279, which exceeded the allowable gross income amount for a household of three to be eligible for receipt of benefits, which, at the time of Petitioner's application was \$4,109. See Initial Decision at 2; see also Exhibits R-2, R-3 and DFDI Instruction ("DFDI") 25-09-02 at 14 . There is no indication in the record that Petitioner, or anyone in the SNAP household, is handicapped, disabled or elderly, and as such, the household must meet the both the gross and net income tests for SNAP eligibility. See N.J.A.C. 10:87-2.34(a)(1), (2), and N.J.A.C. 10:87-6.16(d)(1), (2). For the month of March, 2026, based on the foregoing, Petitioner's household failed to meet the gross income test, which ended the Agency's analysis regarding eligibility for SNAP benefits, for that month. See Initial Decision at 2; see also Exhibits R-2, R-10 and N.J.A.C. 10:87-6.16(d)(1), (2).

The Agency then analyzed Petitioner's income for April, 2026, as she began to receive Unemployment Insurance Benefits ("UIB") of \$1,816 for that month. See Initial Decision at 2; see also Exhibits R-4, R-8 and N.J.A.C. 10:87-6.5. For April, 2026, Petitioner's net income was determined to be \$2,682, consisting of UIB of \$1,816 and child support of \$1,818.87, to which the appropriate deductions were applied. See Initial Decision at 2; see also Exhibits R-4, R-10. While Petitioner's gross income amount was now less than the gross income limit for receipt of SNAP benefits, the net income amount now exceeded the allowable net income level for a household of three, which, at that time was \$2,221. See Initial Decision at 2; see also Exhibits R-4, R-5, R-10 and DFDI 25-09-02 at 14.

In May, 2026, Petitioner received a full month of UIB benefits, totaling \$1,967.18, in addition to the monthly child support of \$1,818.87, and after application of the appropriate deductions, her net income was determined to be \$2,833, which remained in excess of the net amount allowable for a household of three. See Initial Decision at 2-3; see also Exhibits R-5, R-6, R-10 and DFDI 25-09-02 at 14.

On April 15, 2026, the Agency notified Petitioner that her SNAP benefits application was denied, due to her household exceeding the gross income limit for receipt of benefits during March, 2026, as well as because the household exceeded the net income limit for the months of April, 2026, and May, 2026. See Initial Decision at 3. Based on the foregoing, the ALJ found that the Agency's April 15, 2026, denial of SNAP benefits to Petitioner was proper and must stand. See Initial Decision at 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. September 17, 2026

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Natasha Johnson  
Assistant Commissioner

