



*State of New Jersey*

**DEPARTMENT OF HUMAN SERVICES**

Division of Family Development  
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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 1785-15 E.W.

AGENCY DKT. NO. C365704 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner challenges the correctness of Respondent Agency's calculation of his Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 9, 2015, the Honorable Sandra Ann Robinson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On March 12, 2015, the ALJ issued her Initial Decision which affirmed the Agency's calculation of Petitioner's benefits.

No exceptions to the Initial Decision were filed.

As the Deputy Director of the Division of Family Development, Department of Human Services, I have reviewed the Initial Decision and having made an independent review of the record in this matter, I hereby ADOPT the Initial Decision and AFFIRM the Agency's determination.

The SNAP Program is designed to promote the general welfare and to safeguard the health and well-being of the population by raising the levels of nutrition among low-income households. See N.J.A.C. 10:87- 1.1(a). 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 outlines the procedures used to calculate net income and benefit levels for SNAP recipients. 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

Page 2

deduction, based upon the size of the household, is subtracted from 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 is subtracted from the individual's income. The remaining figure is Petitioner's net income. 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).

In the present matter, Petitioner asserted that he had expenditures which should have been taken into consideration by the Agency when calculating his benefits. See Initial Decision at 3. Petitioner did not provide the Agency with any documentation of those expenditures. See *id.* at 5. The ALJ therefore determined that, based upon the documentation provided to the Agency at the time of Petitioner's recertification, the SNAP benefit amount was correct. See *id.* at 5. I agree.

Petitioner is without prejudice to provide copies of substantiating documentation of expenditures and the Agency will reevaluate the documentation to determine if further deductions are applicable which may adjust Petitioner's SNAP benefit amount. Further, as Petitioner represents that he has spoken with legal counsel, who did not represent him at the hearing before the ALJ, Petitioner is free to provide any documentation from said attorney which forms the basis of his assertion that Petitioner should be receiving a higher SNAP benefit amount. See Initial Decision at 3, para. 6-7.

Accordingly, based upon the foregoing, I hereby ADOPT the Initial Decision and AFFIRM the Agency determination in this matter.

**MAR 23 2015**

*Signed Copy on File*  
at DFD, BARA

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Natasha Johnson  
Deputy Director