



State of New Jersey

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Governor

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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 5406-17 H.Y.

AGENCY DKT. NO. C335094007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner challenges the correctness of Respondent Agency's calculation of her Supplemental Nutrition Assistance Program ("SNAP") benefits and the denial of Emergency Assistance ("EA") benefits in the form of back utilities. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 11, 2017, the Honorable Richard McGill, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence.

On May 16, 2017, the ALJ issued an Initial Decision, affirming the Agency's calculation of Petitioner's SNAP benefits and affirming the denial of EA benefits. Here, Petitioner previously received \$368.00 per month in SNAP benefits from January 2017 through March 2017. See Initial Decision at 2; see also Exhibit R-1 at 7. In April 2017, the Agency incorrectly advised Petitioner that her benefit allotment would increase to \$441.00 per month. Ibid. Thereafter, the Agency corrected its calculation to reflect Petitioner's current monthly benefit amount of \$310.00 per month. See Initial Decision at 2; see also Exhibit R-1 at 2. The ALJ concluded that the calculation of Petitioner's SNAP benefits at \$310.00 per month was correct, and affirmed the Agency's calculation. See Initial Decision at 3; see also N.J.A.C. 10:87-6.16. I agree.

In addition, the record reflects that Petitioner's past due utility bill is only for \$119.00 and does not contain a shut-off notice. See Initial Decision at 3; see also Exhibit R-2. Therefore, the ALJ concluded that Petitioner is not eligible for EA in the form of back utility payments and affirmed the Agency's denial of EA. See Initial Decision at 3; see also N.J.A.C. 10:90-6.1(a)(2). I also agree.

No Exceptions to the Initial Decision were filed.

As the 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 Findings of Fact and Conclusions of Law in this matter.

Accordingly, the Initial Decision in this matter is ADOPTED and the Agency determination in this matter is AFFIRMED.

Officially approved final version.

*Natasha Johnson*

Natasha Johnson  
Director

