



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **03750-24 M.M.**

AGENCY DKT. NO. **S974106009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from the Respondent Agency's denial of his application for Work First New Jersey/General Assistance ("WFNJ/GA"), and Supplemental Nutrition Assistance Program ("SNAP"), benefits. The Agency denied Petitioner's application for WFNJ/GA benefits because his total monthly income exceeded the maximum allowable income amount for eligibility for said benefits, and denied Petitioner's application for SNAP benefits because his gross income exceeded the maximum allowable gross income level for his household size. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 21, 2024, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On June 25, 2024, the ALJ issued an Initial Decision, affirming the Agency's determinations.

Exceptions to the Initial Decision were received from Petitioner on July 1, 2024.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Initial financial eligibility for Work First New Jersey ("WFNJ") benefits is determined based upon the assistance unit's ("AU") countable income, both earned and unearned, as well as countable resources. See N.J.A.C. 10:90-3.1(a). If a WFNJ/General Assistance ("GA") AU has income that is equal to or less than the maximum allowable income level, then financial eligibility exists. See N.J.A.C. 10:90-3.1(b) and -3.5(b). Effective July 1, 2019, the maximum allowable income level for an employable WFNJ/GA benefits AU that consists of one individual is \$278 per month. See DFD Informational Transmittal ("DFD IT") No. 19-21.

In order to determine an applicant's eligibility for SNAP, the applicant's income and resources must be below a certain threshold. In accordance with N.J.A.C. 10:87-6.16(d)(1), households which contain an elderly or permanently disabled individual, as defined by N.J.A.C. 10:87-2.34, must meet the net income test for SNAP eligibility. 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 amount for SNAP eligibility, for a household of one person, is \$2,248. See DFD Instruction ("DFDI") 23-09-01 at 13.



Here, the record reflects that on February 16, 2024, Petitioner applied for WFNJ/GA and SNAP benefits and that, also on that date, Petitioner confirmed the accuracy of the information contained in his application for said benefits. See Initial Decision at 2; see also Exhibit R-1 at 12-17, 21. In his application, Petitioner stated that his parents were giving him \$3,000 per month for his living expenses, including his rent of \$1,900 plus utilities. Ibid. Based on the unearned income provided to him by his parents, on February 16, 2024, the Agency denied Petitioner's application for WFNJ/GA benefits due to excess income over the eligibility threshold, and denied Petitioner's application for SNAP benefits as exceeding the gross income threshold. See Exhibit R-1 at 1-2. As outlined above, the maximum income for WFNJ/GA eligibility is \$278, and the maximum allowable gross income amount for a household of one person for SNAP benefits is \$2,248. See N.J.A.C. 10:90-3.1(b), -3.5(b), N.J.A.C. 10:87-6.16(b), (b)(1), (d)(2), DFD IT No. 19-21 and DFDI 23-09-01 at 13. Based on the foregoing, the ALJ in this matter concluded that the Agency's February denial of Petitioner's application for WFNJ/GA and SNAP benefits, was proper and must stand. See Initial Decision at 4. I agree.

By way of comment, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter. Additionally, Petitioner makes arguments in his Exceptions which do not appear to have been presented to the ALJ at the hearing. Pursuant to N.J.A.C. 1:1-18.4(c), "Evidence not presented at the hearing shall not be submitted as part of an exception, nor shall it be incorporated or referred to within exceptions." Moreover, the argument made in Petitioner's Exceptions, that his parents assistance with his rent and expenses was paid directly to the landlord at the time of his application, and therefore should be treated as a vendor payment and excluded from his countable income, in accordance with N.J.A.C. 10:87-5.9(a)(2), is wholly unsubstantiated.

By way of further comment, as Petitioner asserts that his circumstances have changed, and his parents are no longer assisting him with his expenses, Petitioner is without prejudice to reapply for WFNJ benefits and/or SNAP benefits. See Initial Decision at 2, 4.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determinations are AFFIRMED, as outlined above.

Officially approved final version. July 09, 2024

Natasha Johnson
Assistant Commissioner

