



State of New Jersey

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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 18334-17 C.W.

AGENCY DKT. NO. C081927007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner challenges the correctness of the Respondent Agency's reduction of her Supplemental Nutrition Assistance Program ("SNAP") benefits on recertification. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 11, 2018, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On March 6, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, Petitioner receives \$256 per month in Supplemental Security Income ("SSI") benefits, and \$545 per month in Retirement, Survivors, and Disability Insurance ("RSDI") benefits. See Initial Decision at 2; see also Exhibit R-1 at 1. Petitioner's monthly rent was previously \$187, and she paid her own utilities. See Initial Decision at 3. However, on recertification it was determined that her current rent is \$266, and that amount now includes utilities. Ibid. The Agency testified that, as Petitioner's rent now includes utilities, Petitioner does not get the benefit of a utility credit. Ibid.; see also N.J.A.C. 10:87-12.1(c) and Division of Family Development Instruction ("DFDI") 14-07-04. The lack of the utility credit, together with an increase in RSDI, resulted in the reduction of Petitioner's SNAP benefits from \$155 per month to \$15 per month. See Initial Decision at 3; see also Exhibit R-1 at 3,4. Based on the foregoing, the ALJ concluded that the calculation and reduction of Petitioner's monthly SNAP benefits was correct. See Initial Decision at 3; see also Exhibit R-1 and N.J.A.C. 10:87-6.16. Based on an independent review of the record, I agree.

No Exceptions to the Initial Decision were filed by either party.

As the Director of the Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision and following an independent review of the record, I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusions of Law in this matter.

Accordingly, the Initial Decision is hereby ADOPTED and the Agency's determination is AFFIRMED.

Officially approved final version.

MAR 12 2018

Natasha Johnson
Director

