



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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TRENTON, NJ 08625-0716

NATASHA JOHNSON
Director

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 12751-18 R.S.

AGENCY DKT. NO. C167446011 (MERCER COUNTY BOARD OF SOC. SVCS..)

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutrition 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 benefits. The Agency also contends that Petitioner's spouse has not been in the country for five years, and cannot be included in the household for SNAP purposes. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 9, 2018, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On October 23, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner receives monthly temporary disability insurance ("TDI") benefits in the amount of \$1,875, which also represents Petitioner's total monthly gross SNAP income. See Initial Decision at 2; see also Exhibit R-1 at 10, 11-12. The ALJ found that Petitioner's SNAP household consists only of Petitioner, as his spouse cannot be included in the household since she has not been in the country for five years. See Initial Decision at 3; see also Exhibit R-1 at 4, and N.J.A.C. 10:87-3.8(e)(2), (f)(6). The maximum allowable monthly SNAP gross income level to receive benefits for a household of one is \$1,860. See N.J.A.C. 10:87-6.16, and Division of Family Development Instruction ("DFDI") 17-09-02 at 13. Based on the foregoing, the ALJ affirmed the Agency's decision to deny Petitioner SNAP benefits, concluding that Petitioner's household income exceeded the maximum SNAP gross income level allowable for receipt of SNAP benefits. See Initial Decision at 3; see also Exhibit R-1 at 1, 13-14, and N.J.A.C. 10:87-6.16. I agree.

No Exceptions to the Initial Decision were received.

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 final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

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

Officially approved final version. OCT 29 2018

Natasha Johnson
Director

