



State of New Jersey

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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 02345-18 T.O.

AGENCY DKT. NO. C108756011 (MERCER COUNTY BOARD OF SOC. SVCS..)

Petitioner challenges the Respondent Agency's correctness of a Supplemental Nutrition Assistance Program ("SNAP"), and Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF"), benefits recoupment due to an overissuance. The Agency asserts that Petitioner received SNAP and WFNJ/TANF benefits to which she was not entitled as the result of a failure to report earned income, which would have made her ineligible for the receipt of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 6, 2018, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence. The record was reopened on March 19, 2018, to request documents from the Agency. The documents were provided by the Agency and the record then closed on March 22, 2018.

On April 5, 2018, the ALJ issued an Initial Decision, affirming the Agency's calculation of Petitioner's SNAP and WFNJ/TANF benefits overissuance. Here, the record reflects that the Agency requested and received an accounting from Petitioner's employer, which revealed that, based on Petitioner's income for February 2017 and March 2017, Petitioner was not, in fact, eligible for benefits which she received for those months. See Initial Decision at 2-3; see also Exhibits R-4, R-6, R-8. The Agency sought repayment of benefits for those months. See Initial Decision at 3; see also Exhibits R-5, R-6. According to the Agency's calculations, Petitioner was issued an overpayment of \$2,350 in WFNJ/TANF benefits, and \$904 in SNAP benefits for the months of February and March, 2017. See Initial Decision at 3; see also Exhibits R-3, R-5, R-6. Petitioner maintained that she had informed the Agency of her increased income, but did not recall when she delivered the checks and could not provide an estimate. See Initial Decision at 3. Based on the record presented, the ALJ determined that Petitioner had been unjustly enriched as a result of the overissued benefits, and concluded that the overissuances of WFNJ/TANF and SNAP benefits, received by Petitioner, were correctly calculated by the Agency and must be repaid. See Initial Decision at 3-5; see also N.J.A.C. 10:90-3.21(a) and N.J.A.C. 10:87-11.20. I 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.



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

Officially approved final version.

APR 13 2018

Natasha Johnson

Director

