



State of New Jersey

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

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 08632-21 S.R.

AGENCY DKT. NO. C044788019 (SUSSEX COUNTY DIVISION OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's termination of her Supplemental Nutrition Assistance Program ("SNAP") benefits, on recertification. The Agency terminated Petitioner's SNAP benefits, on recertification, contending that she failed to provide copies of requested documentation necessary for continued receipt of SNAP benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 9, 2021, the Honorable John P. Scollo, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On November 15, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that after conducting a fraud investigation, the Agency determined that Petitioner's boyfriend had been living with her while she had been receiving SNAP benefits, and that she had failed to disclose that fact to the Agency, which information is required for SNAP benefits eligibility. See Initial Decision at 2-3; see also Exhibit R-1 at 2-6, and N.J.A.C. 10:87-2.2, -2.14. Petitioner claimed that her live-in boyfriend had not been residing with her during the time she had been receiving SNAP benefits, and to verify that claim, the Agency required Petitioner to provide substantiating documentation. See Initial Decision at 3; see also N.J.A.C. 10:87-2.19, -2.20. Petitioner failed to provide proof that her boyfriend does not reside with her, and had not resided with her, while she had been receiving SNAP benefits, and consequently, the Agency terminated her SNAP benefits. See Initial Decision at 3-4; see also Exhibit R-1 at 7-10; and N.J.A.C. 10:87-2.15, -2.16. The ALJ found Petitioner's testimony, claiming that her boyfriend had moved out and that he had not been residing with her during the time in question, was not credible, and moreover, that she had failed to provide any documentation to the Agency, or at the time of the hearing, to substantiate that claim. See Initial Decision at 4-5. Rather, the ALJ found that the documentation relied upon by the Agency was credible evidence that Petitioner's boyfriend had resided with her while she had been receiving SNAP benefits, and that he continues to reside with her. See Initial Decision at 4; see also Exhibit R-1 at 2-6. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's SNAP benefits was proper and must stand. See Initial Decision at 5-6; see also Exhibit R-1 at 7-10. I agree.

No Exceptions to the Initial Decision were received.



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As Assistant Commissioner, 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.

By way of comment, Petitioner is without prejudice to reapply for SNAP benefits, but must timely provide all documentation, as requested by the Agency. See N.J.A.C. 10:87-2.16.

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

Officially approved final version.

NOV 29 2021

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Natasha Johnson

Assistant Commissioner

