



## State of New Jersey

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*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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*Commissioner*

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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 **09137-24 D.W.**

AGENCY DKT. NO. **C043856017 (SALEM COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of her Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's SNAP benefits, as it contended that the father of two of Petitioner's children, R.C., resided with Petitioner, and therefore, his income should have been included as part of the total household income for SNAP benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 5, 2024, the Honorable Catherine A. Tuohy, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record remained open for Petitioner to submit additional documentation and then closed on August 6, 2024.

On August 7, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that an Agency investigator went to Petitioner's residence on March 5, 2024. See Initial Decision at 2-3; see also Exhibit R-1 at 4. When knocking on the door and asking for Petitioner, a male voice answered that she was not home, and when asked by the investigator who the male answering through the door was, he did not identify himself. See Initial Decision at 3; see also Exhibit R-1 at 4. Additional investigation through various sources revealed that R.C.'s address was the same as Petitioner's. See Initial Decision at 3; see also Exhibit R-1 at 5-12. Based on the investigation conducted, the Agency concluded that R.C. resided with Petitioner. See Initial Decision at 3. In response to the Agency's Request for Contact, R.C. submitted a letter to the Agency stating that he only used Petitioner's address to receive mail and did not reside with Petitioner, but he did not provide the address of where he did purportedly reside. See Initial Decision at 3; see also Exhibit R-1 at 14.

Petitioner maintained that R.C. did not reside with her, and on August 6, 2024, while the record remained open, Petitioner submitted via email, a copy of Petitioner's lease, as well as a copy of an undated typewritten statement from R.C. stating a different address where he resided, and a change of address submitted by R.C. to DMV changing his address to that different address. See Initial Decision at 4; see also Exhibits P-6 to P-8.

The ALJ in this matter found that, based on the testimony and documentary evidence presented, Petitioner had not proven that R.C. was a separate household for SNAP benefits purposes at the time of the Agency's investigation and subsequent adverse action, and therefore, the ALJ concluded that the Agency's termination of Petitioner's SNAP benefits on May 1, 2024, was proper and must stand. See Initial Decision at 4-6; see also N.J.A.C. 10:87-2.2(a)(5). I agree. Additionally, the ALJ noted that, to the extent that Petitioner may now be able to show that R.C. is a separate household, noting the DMV address change filed on August 5, 2024, Petitioner is without prejudice to reapply for SNAP benefits. See Initial Decision at 6.

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



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As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the record in this matter and the ALJ's Initial Decision and I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter.

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

Officially approved final version. September 05, 2024

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Natasha Johnson  
Assistant Commissioner

