



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 **09191-24 F.A.**

AGENCY DKT. NO. **C159545015 (OCEAN COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of his applications for Work First New Jersey/General Assistance ("WFNJ/GA"), and Supplemental Nutrition Assistance Program ("SNAP"), benefits. The Agency denied Petitioner WFNJ/GA and SNAP benefits because his total monthly income was over the maximum allowable income levels for receipt of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 26, 2024, the Honorable Sarah H. Surgent, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On July 30, 2024, the ALJ issued an Initial Decision, affirming the Agency's determinations.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determinations, based on the discussion below.

Initial financial eligibility for Work First New Jersey ("WFNJ") benefits is determined based upon the assistance unit's countable income, both earned and unearned, as well as countable resources. See N.J.A.C. 10:90-3.1(a). If a WFNJ/GA assistance unit (hereinafter "AU") has income that is equal to or less than the maximum allowable income or benefit level, then initial financial eligibility exists. See N.J.A.C. 10:90-3.1(b), -3.5(a), -3.6(a). Effective July 1, 2019, the maximum allowable income level for an employable WFNJ/GA assistance unit that consists of one individual is \$278 per month. See N.J.A.C. 10:90-3.5(a); see also DFD Informational Transmittal ("IT") No. 19-21.

Regulatory authority applicable to SNAP benefit cases, defines income as "all income from whatever source unless such income is specifically excluded." See N.J.A.C. 10:87-5.3. "Earned income" is defined, in pertinent part, as "[a]ll wages and salaries received as compensation for services performed as an employee[.]" See N.J.A.C. 10:87-5.4(a)(1).

In order to determine an applicant's eligibility for SNAP, the applicant's income and resources must be below a certain threshold. In accordance with N.J.A.C. 10:87-6.16(d)(1), households which contain an elderly or permanently disabled individual, as defined by N.J.A.C. 10:87-2.34, must meet the net income test for SNAP eligibility. N.J.A.C. 10:87-6.16(d)(2), states that households that do not contain an elderly or permanently disabled household member must meet both the gross income test, as well as the net income test, meaning that the respective income amounts must be below the established standards. See also N.J.A.C. 10:87-12.3, -12.4.



Gross income is determined by adding together the household's monthly earned and unearned income, minus any earned income exclusions. See N.J.A.C. 10:87-6.16(b), (b)(1). That total gross income amount is then utilized to determine a household's SNAP eligibility in accordance with N.J.A.C. 10:87-6.16(d)(1) and (2). The gross maximum allowable gross income level for a household of one person for SNAP benefits eligibility is \$2,248. See DFD Instruction ("DFDI") 23-09-01 at 13.

Here, the record reflects that on April 16, 2024, Petitioner applied for WFNJ/GA and SNAP benefits. See Initial Decision at 2. On April 22, 2024, the Agency sent Petitioner a Request for Verification, seeking most recent paystubs, proof of address and rental expense and utility costs, which Petitioner thereafter provided. Ibid.; see also Exhibits R-4, R-5. Based on paystubs provided, the Agency calculated Petitioner's monthly gross income to be \$2,463.36. See Initial Decision at 2; see also Exhibit R-7. As this amount exceeds the maximum allowable income amount for WFNJ/GA eligibility, as well as exceeding the maximum allowable gross income threshold for SNAP benefits eligibility, by notices dated May 14, 2024, the Agency denied Petitioner's applications for WFNJ/GA and SNAP benefits. See Initial Decision at 2; see also Exhibits R-1, R-2, and DFDI 23-09-01 at 13, and DFD IT 19-21. Petitioner did not dispute his income, the monthly calculated amount or the maximum allowable income program amounts. See Initial Decision at 2. Based on the foregoing, the ALJ concluded that the Agency's denials of WFNJ/GA and SNAP benefits to Petitioner were proper and must stand. See Initial Decision at 3. I agree.

By way of comment, Petitioner is without prejudice to reapply for WFNJ and SNAP benefits, should his circumstances have changed.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determinations are AFFIRMED, as outlined above.

Officially approved final version. August 14, 2024

Natasha Johnson
Assistant Commissioner

