



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **01746-24 G.F.**

AGENCY DKT. NO. **C110761015 (OCEAN COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of his application for Supplemental Nutritional Assistance Program ("SNAP") benefits. The Agency denied Petitioner's application for SNAP benefits, contending that Petitioner had failed to provide information and documentation necessary to determine eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. A hearing was initially scheduled for March 12, 2024, but Petitioner failed to appear for the hearing. Thereafter, Petitioner reached out to the OAL, providing good cause for his failure to appear, and the matter was rescheduled. On April 8, 2024, the Honorable Dean J. Buono, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents.

On April 17, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reveals that Petitioner filed an application for SNAP benefits on November 2, 2023. See Exhibit R-7. On November 3, 2023, the Agency approved Petitioner for expedited SNAP benefits for the month of November 2023, but Petitioner was advised that continued SNAP benefits would be dependent upon verification of required income and employment information, as outlined in the SNAP-33 form sent separately to Petitioner, on that same date. See Exhibits R-1, R-6. The requested income and employment information was not provided by Petitioner, and despite attempts from the Agency itself to verify Petitioner's assertion that he had been fired from his employment, the information was not provided. See Initial Decision at 6. Moreover, based on the credible testimony of four different witnesses, who are Agency employees, it appeared that Petitioner was, in fact, still employed by the employer who he claimed had fired him. *Id.* at 2-3. Petitioner's testimony with respect to his employment situation, however, the ALJ in this matter found to not be credible. *Id.* at 3. In order to determine eligibility for SNAP benefits, mandatory verification of certain information is required, such as household income, both earned and unearned income. See N.J.A.C. 10:87-2.19, -2.20. Without said verification of required information, SNAP eligibility cannot be determined or granted. *Ibid.* Following presentation of testimonial and documentary evidence in this case, the ALJ concluded that Petitioner had not provided the requested information required to be verified to determine eligibility, nor had he provided any good cause for failing to do so, and as such, the Agency's denial of SNAP benefits to Petitioner was proper and must stand. See Initial Decision at 3, 5-6; see also N.J.A.C. 10:87-2.19, -2.20. I agree.

No Exceptions to the Initial Decision were received.

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 in the future, but must provide all information and documentation requested in order to determine eligibility.

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

Officially approved final version.

May 15, 2024

Natasha Johnson

Assistant Commissioner

