



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 **01098-24 N.L.**

AGENCY DKT. NO. **C183381003 (BURLINGTON COUNTY BD. OF SOC. SVCS)**

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") and Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner's application for SNAP and WFNJ/GA benefits because Petitioner failed to provide income verification and failed to appear for the required telephonic interviews, respectively. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law. On March 18, 2024, the Honorable Kim C. Belin, Administrative Law Judge ("ALJ") held a plenary hearing, took testimony and admitted documents. On April 1, 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, based on the discussion below.

In order to determine eligibility for SNAP and WFNJ benefits, mandatory verification of certain information is required. See N.J.A.C. 10:87-2.19 and N.J.A.C. 10:90-2.2. Eligibility for SNAP benefits requires verification of gross non-exempt income, and verification for WFNJ benefits requires the applicant to provide all necessary documentation. See N.J.A.C. 10:87-2.19(b) and N.J.A.C. 10:90-2.2(a)(5)(stating that "As a condition of eligibility for WFNJ benefits, the applicant shall, subject to good cause exceptions, be required to provide all necessary documentation.").

The record in this matter reveals that Petitioner applied for WFNJ/GA and SNAP benefits for a household consisting of one person on August 18, 2023. See Initial Decision at 2. Following review of the application, on September 1, 2023, the Agency requested additional information and documentation necessary to determine eligibility, including recent paystubs, household composition, shelter expenses, phone number, proof of address, as well as verification of termination of employment with a local school's Board of Education, if no longer employed. Ibid. Additionally, Petitioner's WFNJ/GA application required a telephone interview, and by notice dated August 28, 2023, Petitioner was advised of a telephone interview scheduled for September 1, 2023. Ibid. After Petitioner failed to appear for the September 1, 2023, telephone interview, the Agency sent a second notice dated September 12, 2023, for a telephone interview on September 21, 2023. Ibid. Petitioner did not make himself available for the second interview, nor did Petitioner contact the Agency thereafter. Id. at 2, 5.

The record further shows that, while Petitioner submitted a copy of his lease and copies of utility bills, Petitioner failed to provide copies of requested paystubs, nor any verification that Petitioner was no longer employed. Id. at 3, 4. Rather,



Petitioner maintained that he received no income, as defined by the Supreme Court and Congress, that the Agency had no right to access his employment information, and further asserted that he had a “natural right” to WFNJ/GA and SNAP benefits. Id. at 4, 5. As Petitioner had not provided all information and documentation necessary to determine eligibility, specifically proof of earned income or verification that Petitioner was no longer employed, on December 15, 2023, the Agency denied Petitioner’s application for SNAP benefits. See Exhibit R-9. Additionally, also on December 15, 2023, the Agency also denied Petitioner’s application for WFNJ/GA benefits for not attending the required telephone interviews. See Exhibit R-8.

Based on the credible testimony provided, the ALJ concluded that Petitioner had received the Agency notices regarding the required telephone interviews, and as such, the Agency’s determination to deny Petitioner’s application for WFNJ/GA benefits was proper and must stand. See Initial Decision at 9-10; see also N.J.A.C. 10:90-3.22(b). I agree. After a discussion, finding Petitioner’s assertions, that he had received no income or wages, to be misplaced, the ALJ also concluded that Petitioner had not provided the income information required to be verified to determine eligibility, and as such, the Agency’s denial of Petitioner’s application for SNAP benefits was also proper and must stand. See Initial Decision at 11-15; see also N.J.A.C. 10:87-2.19(b). I also agree.

By way of comment, Petitioner is without prejudice to reapply for WFNJ/GA and SNAP benefits in his current county of residence, but is reminded that he must provide all information and documentation requested and make himself available for the requisite interview(s) in order to determine eligibility.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency’s determination is AFFIRMED, as outlined above.

Officially approved final version. May 16, 2024

Natasha Johnson
Assistant Commissioner

