



## State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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SARAH ADELMAN  
*Commissioner*

TAHESHA L. WAY  
*Lt. Governor*

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 **06356-24 K.C.**

AGENCY DKT. NO. **C248519020 (UNION COUNTY DIVISION OF SOC. SVCS.)**

Petitioner Agency charges Respondent with committing intentional program violations ("IPVs") of the "Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF"), and the Supplemental Nutrition Assistance Program ("SNAP"). The Agency asserts that Respondent intentionally failed to report the receipt of household earned income, while receiving SNAP and WFNJ/TANF benefits, thus causing Respondent to receive an overissuance of benefits to which she was not entitled. Because Petitioner requested a fair hearing, the matter was transmitted to the Office of Administrative Law ("OAL"). Respondent was properly noticed of the Administrative Disqualification Hearing, the charges against her, and the proposed disqualification penalty, via certified mail restricted delivery dated March 28, 2024, which was confirmed by the Agency by hand delivery at the Agency office, on May 9, 2024. See Exhibit P-8. Because Respondent failed to execute and return the waiver of her right to a hearing, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing as a contested case. See Exhibit P-7. On May 30, 2024, the Honorable Patrice E. Hobbs, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence. Respondent did not appear for the hearing, and the matter proceeded ex parte, which is permissible pursuant to our regulatory scheme. See N.J.A.C. 1:10-14.1(d). Following the hearing, Respondent was given ten days to present good cause for her failure to appear. Respondent did not respond and the record was closed on June 10, 2024.

On June 11, 2024, the ALJ issued an Initial Decision, which found that the Agency had met its burden in establishing, by clear and convincing evidence, that Respondent had deliberately and intentionally withheld information from the Agency, which resulted in Respondent receiving an overissuance of SNAP and WFNJ/TANF benefits, to which she was not entitled. See Initial Decision at 4-5. Specifically, the ALJ found that Respondent deliberately and intentionally did not report that she had earned income from employment, which resulted in an overissuance of SNAP and WFNJ/TANF benefits to Respondent in the total amount of \$12,369, for the periods of September, 2022 through November, 2022 and January, 2023 through August, 2023. See Initial Decision at 3-5; see also Exhibits P-3, P-4, P-5, N.J.A.C. 10:87-5.1, -6.3, -9.5 and N.J.A.C. 10:90-3.2, -3.22.

As this was the first IPV committed by Respondent, the ALJ ordered the mandatory regulatory penalty of a 12-month disqualification from receipt of SNAP benefits, pursuant to N.J.A.C. 10:87-11.2(a)(1) and the mandatory regulatory penalty of a 6-month disqualification from receipt of WFNJ/TANF benefits. See Initial Decision at 5; see also N.J.A.C. 10:90-11.9(b)(3). I agree.

No Exceptions to the Initial Decision were filed.

I direct that the Agency proceed to recoup the outstanding balance of the overissuances of SNAP and WFNJ/TANF benefits.



Accordingly, based upon the foregoing, I hereby ADOPT the Initial Decision in this matter, and ORDER that Respondent is disqualified from receipt of SNAP benefits for a period of 12 months and disqualified from receipt of WFNJ/TANF benefits for a period of 6 months. I further ORDER that the Agency is to recoup the overissuances of SNAP and WFNJ/TANF benefits.

Officially approved final version. June 26, 2024

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Natasha Johnson  
Assistant Commissioner

