



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 **05932-24 V.L.**

AGENCY DKT. NO. **S457815014 (MORRIS CO. OFFICE OF TEMP ASSISTANCE)**

Petitioner challenges the correctness of the Respondent Agency's reduction of her monthly Supplemental Nutrition Assistance Program ("SNAP") benefits allotment. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 8, 2024, and continuing on August 20, 2024, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents into evidence. On November 12, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, the ALJ's Initial Decision is hereby MODIFIED, and the Agency determination is AFFIRMED, based on the discussion below.

All legally obligated or court ordered child support payments made by a SNAP household member are excluded from income. See N.J.A.C. 10:87-5.9(a)(20). This is accomplished in the SNAP allotment calculations as a deduction from gross income as a household expense. See N.J.A.C. 10:87-6.10, -6.16(b)(7).

Here, the record shows that, Petitioner's SNAP benefits allotment was reduced at the time of her recertification in January 2024. See Initial Decision at 2, 3. I take official notice that the records of this office show that from March 2024, through August 2024, Petitioner received \$183 in monthly SNAP benefits. See N.J.A.C. 1:1-15.2(a) and N.J.R.E. 201(b)(4). The record reflects that, after documentation was submitted showing that her earnings were based on a ten-month position, Petitioner's monthly allotment was increased to \$291 per month, effective September 2024, with retroactive benefits for June, July and August 2024, issued on August 8, 2024, to Petitioner in the amount of \$108 per month, or \$324 total, to bring Petitioner to the \$291 allotment amount for those months. See R-1 at Exhibit 37. Based on the foregoing, I agree with the ALJ's conclusion that the Agency had properly calculated Petitioner's SNAP benefits allotment at recertification. See Initial Decision at 3. The Initial Decision is modified to reflect these findings.

Additionally, despite Petitioner's assertions that she was not given any offset to gross income, due to her legally obligated child support payments, the record does, in fact, substantiate that a deduction for said child support payments was included in the SNAP benefits allotment calculations. See e.g. R-2 at Exhibits 33, 35. However, the record reflects that the amount of monthly child support payment deducted as an expense in the calculations is \$173.36, rather than the amount of \$216.70, as indicated by Petitioner. Ibid.; see also R-1 at Exhibit 8. It should be noted that the child support payment verification record, see R-1 at Exhibit 8, only reflects payments up to December 2023. Therefore, if Petitioner maintains that her child support payment amounts have increased, she should contact the Agency, who shall verify current payment



amounts and adjust Petitioner's SNAP benefits allotment, if verified accordingly. See N.J.A.C. 10:87-8.18. The Initial Decision is further modified to reflect these findings.

Accordingly, the Initial Decision in this matter is MODIFIED, and the Agency's determination is hereby AFFIRMED, as outlined above.

Officially approved final version. December 12, 2024

Natasha Johnson
Assistant Commissioner

