



*State of New Jersey*

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*Governor*

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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 03827-18 A.C.

AGENCY DKT. NO. C191949013 (MONMOUTH COUNTY DIV. OF SOC. SVCS)

Petitioner challenges the correctness of the Respondent Agency's reduction of his Supplemental Nutrition Assistance Program ("SNAP") benefits. On February 9, 2018, Petitioner appeared for a fair hearing in a related matter, regarding a reduction of SNAP benefits due to an increase in earned income, and following a pre-hearing conference, Petitioner agreed to withdraw his fair hearing request and submit additional documentation to the Agency for evaluation. On February 14, 2018, Petitioner submitted the documentation to the Agency, and as a result, his SNAP benefits were further reduced. Petitioner then requested another fair hearing. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 6, 2018, the Honorable Tricia M. Caliguire, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence. The record was held open for the submission of additional documents, and then closed on April 11, 2018.

On April 12, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner receives \$799.00 per month in Retirement, Survivors and Disability Insurance benefits. See Initial Decision at 2. On November 22, 2017, Petitioner submitted a SNAP Interim Reporting Form ("IRF"), indicating that he started a new job, and that, as a result, his income had changed by more than \$100.00 per month. See Initial Decision at 3; see also Exhibits R-3, R-6. At the time of the submission of the IRF, Petitioner had been receiving monthly SNAP benefits in the amount of \$192. See Exhibit R-3. Based on the information contained in the IRF, Petitioner's SNAP benefit amount was recalculated, and reduced to \$44 per month. See Initial Decision at 3; see also Exhibits R-3, R-5. As stated above, after the submission of additional documentation on February 14, 2018, Petitioner's monthly SNAP benefit was again reevaluated and further reduced to \$35 per month. *Ibid.* After a thorough review of the calculations, the ALJ found that the Agency's calculation of Petitioner's monthly SNAP benefit amount of \$35 was correct. See Initial Decision at 6; see also Exhibit R-5, and N.J.A.C. 10:87-6.16. Based upon an independent review of the record, I agree.

No Exceptions to the Initial Decision were filed by either party.



As the Director of the 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 decision and hereby adopt the Findings of Fact and Conclusions of Law.

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

Officially approved final version.

**APR 19 2018**

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Natasha Johnson

Director

