



State of New Jersey

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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 18105-17 G.C.

AGENCY DKT. NO. C396774007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner challenges the correctness of Respondent Agency's reduction of his Supplemental Nutrition Assistance Program ("SNAP") benefits, on recertification. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 5, 2018, the Honorable Ernest M. Bongiovanni, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On February 13, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that at the time of Petitioner's recertification for continued receipt of SNAP benefits, he was receiving \$110 per month in Supplemental Security Income ("SSI") benefits, and \$690 per month in Retirement, Survivors and Disability Insurance ("RSDI") benefits. See Initial Decision at 2; see also Exhibit R-3 at 5-7. Petitioner maintains that the Agency overstated his income, and miscalculated his monthly SNAP benefit reduction, because he was not given credit for rent paid. See Initial Decision at 2. However, the ALJ found that Petitioner had stated in his SNAP recertification form that he did not pay rent, and that he failed to provide any documentation at the hearing to prove that he does, in fact, pay rent. *Id.* at 2-3. As such, the ALJ found that Petitioner was not entitled to a credit for rent payments. *Id.* at 3. Therefore, the ALJ concluded that the Agency's calculation of Petitioner's monthly SNAP benefit, and the resultant reduction of said benefits from \$192 per month to \$15, was correct and must stand. *Ibid.*; see also Exhibits R-2, R-4, R-5, and N.J.A.C. 10:87-6.16, and Division of Family Development Instruction ("DFDI") 17-09-02 at 12. 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 in this matter.

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

Officially approved final version.

FEB 22 2018

Natasha Johnson  
Director



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