



State of New Jersey

PHILIP D. MURPHY  
Governor

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716  
TRENTON, NJ 08625-0716

CAROLE JOHNSON  
Acting Commissioner

SHEILA Y. OLIVER  
Lt. Governor

NATASHA JOHNSON  
Director  
Tel: (609) 588-2000

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 02374-18 S.B.

AGENCY DKT. NO. C050280003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") benefits on recertification. The Agency denied Petitioner SNAP benefits contending that she failed to provide information required for the recertification process. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 23, 2018, the Honorable Carl V. Buck, III, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence. On May 4, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, and AFFIRM the Agency's determination.

Upon recertification for continued receipt of SNAP benefits, the Agency may request documentation required to complete the application process. See N.J.A.C. 10:87-9.1(h). "If by the 30<sup>th</sup> day, the [Agency] cannot take any further action on the application due to the fault of the household, the household shall lose its entitlement to benefits for the month of application. The [Agency] shall follow the procedures at N.J.A.C. 10:87-2.27(e)." See N.J.A.C. 10:87-9.4(c). Further, if the household fails to take the required action within 60 days from the date of the recertification application, the SNAP case will close, and a new application for SNAP benefits will be required. See N.J.A.C. 10:87-2.27(e)(1).

Here, Petitioner filed an application for recertification of her SNAP benefits on September 6, 2017. See Initial Decision at 2. On September 10, 2017, the Agency provided Petitioner with a "Request for Verification," listing all the documents required to determine Petitioner's eligibility for SNAP benefits on recertification, by October 10, 2017. See Initial Decision at 2; see also Exhibit R-1, and N.J.A.C. 10:87-9.1(h). However, Petitioner failed to provide all the required information, within the 30 days required pursuant to N.J.A.C. 10:87-2.27(e), -9.4(c). See Initial Decision at 4. Of note, the record reflects that the Agency actually afforded Petitioner 60 days within which to submit the required information, yet not all of the required documentation was provided, and therefore, by notice dated December 11, 2017, the Agency denied SNAP benefits to Petitioner, effective December 1, 2017. Ibid.; see also Exhibit R-1, and N.J.A.C. 10:87-2.27(e)(1), -9.2(c)(5), -9.4(c). Petitioner admitted that she did not provide all the required information to the Agency. See Initial Decision at 2-3. Based on the record presented, the ALJ concluded that Petitioner failed to comply with requisite program requirements by not providing all necessary documentation requested by the Agency to determine Petitioner's SNAP benefits eligibility. See Initial Decision at 5. As such, the ALJ concluded that the Agency's denial of SNAP benefits to Petitioner was proper and must stand. See Initial Decision at 5-7; see also Exhibit R-1. I agree. However, the Initial



Decision in this matter cites to the SNAP regulations relevant to the initial application process for receipt of SNAP benefits, rather than on recertification. See Initial Decision at 4-5. As such, the Initial Decision is hereby modified to incorporate the applicable regulatory authority, as cited above in this decision.

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

Officially approved final version.

MAY 09 2018

Natasha Johnson

Director

