



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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CAROLE JOHNSON
Commissioner

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Lt. Governor

NATASHA JOHNSON
Director

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 04898-18 S.G.

AGENCY DKT. NO. C136072009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") benefits on recertification. The Agency denied Petitioner continued SNAP benefits on recertification as it contended that Petitioner's SNAP net household income exceeds the maximum permissible level for receipt of benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 26, 2018, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence.

On June 5, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner's SNAP household is comprised of Petitioner, his spouse, and four children. See Initial Decision at 2. Petitioner is self-employed. Ibid. The Agency, in relying upon paystubs from Petitioner and an additional household member, determined that Petitioner's total SNAP net monthly income was \$3,549. Ibid.; see also Exhibits R-1, R-2, R-3, R-4, R-5; and N.J.A.C. 10:87-5.2, -7.3, -7.5 and -9.1. The Agency, as part of its calculation of Petitioner's household income, also included Supplemental Security Income ("SSI") benefits for his spouse and three of their four children. See Initial Decision at 2. Petitioner offered no evidence to refute the evidence presented by the Agency. Ibid. The Agency testified that the maximum allowable monthly SNAP net income level to receive benefits for a household of six is \$2,747.00. Ibid., see also N.J.A.C. 10:87-6.16, and Division of Family Development Instruction ("DFDI") 17-09-02 at 13. Based on the foregoing, the ALJ affirmed the Agency's decision to deny Petitioner continued SNAP benefits on recertification, concluding that Petitioner's household income exceeded the maximum SNAP net income level allowable for receipt of SNAP benefits. See Initial Decision at 3. Based on an independent review of the record, I agree with the conclusion of the ALJ.

No Exceptions to this Initial Decision were filed.



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 Conclusion 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.

JUN 11 2018

Natasha Johnson

Director

