



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 04326-18 T.D.

AGENCY DKT. NO. C408785007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner challenges the correctness of Respondent Agency's reduction of her Supplemental Nutrition Assistance Program ("SNAP") benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 9, 2018, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence. On May 1, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination.

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 reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination.

Here, the record reflects that as a result of information provided by Petitioner on her Interim Reporting Form, signed on February 23, 2018, the Agency discovered that Petitioner had unreported monthly gross earned income in the amount of \$2,038, and monthly child support payments of \$217. As a result, and after applying the appropriate deductions, Petitioner's SNAP benefits were reduced from \$335 per month to \$15, and it was determined that Petitioner had received an overpayment of SNAP benefits in the amount of \$1,735. See Initial Decision at 2-3; see also Exhibits P-2 through P-6, R-1 at 8-24, and N.J.A.C. 10:87-12.6. Petitioner does not dispute that she is working and that she failed to report her income, but challenges the Agency's SNAP benefits reduction calculation. See Initial Decision at 2. However, based on the evidence presented, the ALJ concluded that, for the time period in question, Petitioner's earned income amount resulted in an overpayment and reduction of SNAP benefits. *Id.* at 2-3; see also Exhibit R-1 at 8-24. Accordingly, the ALJ concluded that the Agency's determination that Petitioner's SNAP benefits should be reduced to \$15 a month, with \$10 per month to be applied to the overpayment of \$1,735 was proper and must stand. See Initial Decision at 4; see also Exhibit R-1 at 8, and N.J.A.C. 10:87-6.16, -11.20, -12.6. I agree.



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

Officially approved final version.

4

Natasha Johnson

Director

