



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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

REMAND DECISION

OAL DKT. NO. HPW 01131-19 A.M.

AGENCY DKT. NO. C351287007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals the Agency's denial of her application for Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency denied Petitioner's application for SNAP benefits, contending that she failed to provide proof of income, shelter costs and address, as requested by the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. The hearing was initially scheduled for February 6, 2019, but was adjourned at the request of the Agency. On February 14, 2019, the Honorable Margaret M. Monaco, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On February 19, 2019, the ALJ issued an Initial Decision, reversing the Agency's determination and remanding the matter to the Agency.

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 record in this matter and the ALJ's Initial Decision and I hereby ADOPT the ALJ's Initial Decision, REVERSE the Agency determination, and REMAND the matter to the Agency, as discussed below.

Here, Petitioner applied for SNAP benefits on October 22, 2018. See Initial Decision at 2; see also Exhibit P-1 at 1. On November 5, 2018, in order to complete her application for SNAP benefits, the Agency requested that Petitioner provide copies of her lease, a utility bill, and photo identification, no later November 14, 2018. See Initial Decision at 2; see also Exhibit R-1 at 2. The ALJ found Petitioner to be credible when she testified that on November 14, 2018, she appeared at the Agency and provided the requested documents. See Initial Decision at 3. The ALJ found further that the Agency provided a "Customer Drop-Off Receipt" acknowledging delivery of the requested documents on November 14, 2018. Ibid.; see also Exhibit P-1 at 21. Additionally, the ALJ found that when Petitioner contacted the Agency regarding its denial of her application for SNAP benefits, it was confirmed by the Agency's computer system that she had provided the requested documents on November 14, 2018. See Initial Decision at 3. Therefore, the ALJ concluded that the record did not support the Agency's denial of Petitioner's application for SNAP benefits based upon her alleged failure to provide proof of income,



shelter costs and address. Id. at 4; see also Exhibit P-2 at 4-9, and N.J.A.C. 10:87-2.27(e). Accordingly, the ALJ reversed the Agency's denial of Petitioner's application for SNAP benefits, and remanded the matter to the Agency, to reevaluate Petitioner for SNAP eligibility, as of her application date in October 2018. See Initial Decision at 4. I agree. Further, if Petitioner is determined to be eligible for SNAP benefits, the Agency shall provide Petitioner with retroactive SNAP benefits, as applicable. See N.J.A.C. 10:87-11.12(b).

Accordingly, the Initial Decision in this matter is ADOPTED, the Agency's determination is hereby REVERSED, and the matter is REMANDED to the Agency, as outlined above.

Officially approved final version.

MAR 13 2019

Natasha Johnson

Director

