



State of New Jersey

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

NATASHA JOHNSON
Assistant Commissioner

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 14714-19 E.F.

AGENCY DKT. NO. C013390010 (HUNTERDON COUNTY BD. OF SOC. SVCS.)

Petitioner challenges the correctness of Respondent Agency's calculation of her monthly Supplemental Nutrition Assistance Program ("SNAP") benefits amount. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 12, 2019, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On November 21, 2019, the ALJ issued an Initial Decision, affirming the Agency's calculation of Petitioner's monthly SNAP benefit amount. Here, the record reflects that in August, 2019, Petitioner's spouse completed a recertification application for SNAP benefits. See R-1 at 11-25. Petitioner's spouse reported that, initially, he had two jobs, but at the time of the recertification, he was no longer working at one of them. See Initial Decision at 2. On September 24, 2019, the Agency requested that Petitioner provide paystubs from his previous and current employers. See Initial Decision at 2; see also Exhibit R-1 at 50-52. Thereafter, Petitioner's spouse produced a weekly paystub from his current job dated September 13, 2019, with gross earnings of \$655.55. See Initial Decision at 2; see also Exhibit R-1 at 6. Petitioner also provided information from his previous job, detailing earnings during the weeks of August 26, 2019, and September 9, 2019, as totaling \$212.16, and \$63.39, respectively. See Exhibit R-1 at 7. Based upon the information provided by Petitioner's spouse, the Agency calculated Petitioner's total monthly gross income to equal \$3,140 $[(\$655.55 \times 4.333 = \$2,840.50) + (212.16 + 63.39 = \$275.55) / 2 = \$137.78 \times 2.167 = \$298.56]$, and further determined that, effective October 1, 2019, Petitioner was entitled to \$50 per month in SNAP benefits. See Initial Decision at 2; see also Exhibits R-1 at 5-7, 26-27, 28-29, and N.J.A.C. 10:87-6.9, -6.16(b).

On October 16, 2019, the Agency received a letter from Petitioner's spouse's previous employer, notifying the Agency that his last day with the employer was on August 31, 2019. See Initial Decision at 2; see also Exhibit R-1 at 10. On October 28, 2019, Petitioner's spouse provided two additional paystubs to the Agency from his new employer, for the weeks of September 10, 2019, and September 24, 2019, reflecting gross earnings of \$183.19, and \$560.17, respectively. See Initial Decision at 2; see also Exhibit R-2 at 2, 4. On that same date, the Agency recalculated Petitioner's monthly SNAP



benefit, using the three paystubs from Petitioner's spouse's new employer, and removing the earned income from his previous employer, as it was not received within the most recent 30-day period of the completed recertification application. See Initial Decision at 2; see also Exhibit R-2 at 2-4, 11, and N.J.A.C. 10:87-6.9(c). Based upon the revised calculations, Petitioner's monthly SNAP benefit amount was adjusted from \$50, to \$478, effective October 1, 2019. See Initial Decision at 2; see also Exhibit R-2 at 5-6, 11, and N.J.A.C. 10:87-6.9, -6.16.

Petitioner contends that the calculation of SNAP benefits should be based upon the gross total of the earnings listed on the three weeks for which he provided paystubs, or \$1,398.91 (\$183.19 + \$655.55 + 560.17). See Initial Decision at 2; see also Exhibit R-2 at 2-4. The ALJ found that calculation of monthly SNAP benefits based upon a three-week work month does not accurately reflect the monthly household income, and that the Agency's procedure for calculating Petitioner's monthly earned income, when received weekly, was appropriate. See Initial Decision at 4; see also Exhibit R-2 at 11, and N.J.A.C. 10:87-6.9(d)(1). Based on the record presented, the ALJ affirmed the Agency's calculation of the amount of Petitioner's monthly SNAP benefits. See Initial Decision at 4; see also Exhibit R-2 at 5-6, and N.J.A.C. 10:87-6.9, -6.16(b). I agree.

No Exceptions to the 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 hereby ADOPT the Findings of Fact and Conclusion of Law.

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

Officially approved final version.

Natasha Johnson
Assistant Commissioner

DEC - 4 2019

