



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 14133-19 G.J.

AGENCY DKT. NO. C772775007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency denied Petitioner SNAP benefits, contending that she failed to cooperate with the Agency in processing her application for SNAP benefits, specifically, by missing two scheduled telephone interviews with the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 22, 2019, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On November 1, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on July 8, 2019, Petitioner applied for SNAP benefits. See Initial Decision at 2. On that same date, as part of the application process, the Agency requested that Petitioner participate in a telephone interview scheduled on July 11, 2019. *Ibid.*; see also Exhibit R-2. On July 11, 2019, the Agency called Petitioner at the telephone number listed on her application for SNAP benefits, but received no answer. See Initial Decision at 2. On that same date, following the missed interview call, the Agency mailed a second notice to Petitioner informing her that she missed the previously scheduled telephone interview, and also advising her that a second telephone interview was scheduled for July 24, 2019. *Ibid.*; see also Exhibit R-3. On July 24, 2019, the Agency called Petitioner, but again received no answer. See Initial Decision at 2. As a result of the two telephone interviews that Petitioner missed, the Agency denied Petitioner's application for SNAP benefits, on August 8, 2019. *Ibid.*; see also Exhibit R-1, and N.J.A.C. 10:87-2.27(b). Petitioner testified that she was available for the interview on both dates, and that the Agency never called. See Initial Decision at 2. Petitioner further testified that her daughter filed the SNAP application electronically, and that she inadvertently listed an incorrect telephone number. *Ibid.* The ALJ found that the Agency was unable to contact Petitioner to conduct the two telephone interviews due to the incorrect telephone listed on Petitioner's application for SNAP benefits, resulting in an incomplete application for benefits. *Id.* at 3. Accordingly, the ALJ concluded that the Agency properly denied Petitioner's application for SNAP benefits. *Ibid.*; see also Exhibit R-1, and N.J.A.C. 10:87-2.18(a), -2.27(b). I agree.

No Exceptions to the Initial Decision were received.

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 final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

By way of comment, Petitioner is without prejudice to reapply for SNAP benefits.

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



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Officially approved final version.

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Natasha Johnson
Assistant Commissioner

