



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 14722-19 H.S.

AGENCY DKT. NO. S435553015 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's determination of his Supplemental Nutrition Assistance Program ("SNAP") eligibility date. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 8, 2019, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On November 21, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on August 22, 2019, Petitioner applied for SNAP benefits. See Initial Decision at 2; see also Exhibit R-2. Petitioner reported that the portion of the rent for which he was responsible had increased from \$526 to \$1,600 per month. See Initial Decision at 2; see also Exhibit R-2 at 6. On that same date, the Agency requested that Petitioner provide, no later than September 3, 2019, verification of the amount Petitioner pays for rent, copies of bank account statements, and a statement of living expenses. See Initial Decision at 2-3; see also Exhibit R-3, and N.J.A.C. 10:87-2.20(a), (c). Petitioner did not provide the requested information by September 3, 2019, and therefore, on September 30, 2019, the Agency notified Petitioner that it had denied his application for SNAP benefits for failing to timely provide the requested documentation. See Initial Decision at 3; see also Exhibit R-1, and N.J.A.C. 10:87-2.14, -2.22(c). The September 30, 2019, notice further advised Petitioner that he may still provide the requested documents within 30 days of the notice, and that the Agency would reopen his SNAP case, without requiring him to file a new application. See Initial Decision at 3; see also Exhibit R-1 at 1, and N.J.A.C. 10:87-2.27(e)(1)(ii). On October 4, 2019, Petitioner provided documentation advising the Agency that he was no longer eligible for a Housing Assistance Payment of \$1,622, that his family size had decreased, and that his monthly rental obligation had increased to \$1,339. See Initial Decision at 3, see also Exhibits P-5, P-6, P-7. On that same date, Petitioner provided documentation to the Agency, confirming that he was approved for assistance through a family relief program. See Initial Decision at 3; see also Exhibit P-4. On October 23, 2019, Petitioner provided a document, dated October 4, 2019, from a local rental assistance plan, explaining that his rental obligation had increased because three members of his household no longer lived with him. See Initial Decision at 4; see also Exhibit P-6. The letter provided on October 23, 2019, in combination with the documentation Petitioner previously provided to the Agency, was sufficient to permit the Agency to authorize SNAP benefits for Petitioner, effective October 23, 2019. See Initial Decision at 5.

Petitioner contends that he should have been deemed eligible for SNAP benefits at an earlier date, because he had advised the Agency on two earlier occasions that he was unable to obtain some of the requested documentation, and that the Agency had failed to assist him in obtaining the requested documentation. Id. at 4; see also N.J.A.C. 10:87-2.14, -2.22(c)(1). The ALJ found Petitioner not wholly credible when he testified regarding the communications that he had with Agency staff members. Id. at 6. The ALJ further found that Petitioner did not know with whom he had spoken, and that



he did not offer other testimony or evidence concerning his communication with Agency staff. Ibid. The ALJ concluded that Petitioner did not provide the requested information by the initial deadline, that the Agency approved Petitioner's application SNAP benefits when he provided sufficient information to enable the Agency to verify and approve his application for SNAP benefits, and that Petitioner's eligibility date for SNAP benefits was October 23, 2019, as determined by the Agency. Id. at 7-8. Accordingly, the ALJ affirmed the Agency's determination of Petitioner's SNAP eligibility date. Id. at 8; see also Exhibit P-6, and N.J.A.C. 10:87-2.20(a), -2.22(c)(1). 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.

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

Officially approved final version.

Natasha Johnson
Assistant Commissioner

DEC 3 2019

