



## State of New Jersey

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*Governor*

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*Lt. Governor*

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*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 13806-19 K.W.

AGENCY DKT. NO. C050600008 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's termination of her Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's SNAP benefits, contending that Petitioner did not maintain a separate household. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 15, 2019, the Honorable John S. Kennedy, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence.

On November 26, 2019, the ALJ issued an Initial Decision, affirming the Agency's termination of Petitioner's SNAP benefits. The record reflects that, on or around August 21, 2019, the Agency conducted an investigation to determine whether E.B., the father of Petitioner's three children, resided in the home with Petitioner. See Initial Decision at 2; see also Exhibit R-1 at 1-2, 18. The Agency's investigation revealed that Petitioner and E.B. have been living together since 2006. See Initial Decision at 2; see also Exhibit R-1 at 1, 6-12, 13-17. The investigation further revealed that in August, 2018, Petitioner and E.B. co-purchased the home where Petitioner currently lives, and both are listed as joint-owners of the property. See Initial Decision at 2; see also Exhibit R-1 at 19. Additionally, as part of its investigation, the Agency obtained documentation confirming that E.B.'s current address for voter registration purposes, matches Petitioner's current address. See Initial Decision at 2; see also Exhibit R-1 at 8. Based upon its investigation, on September 6, 2019, the Agency notified Petitioner that, effective October 1, 2019, her SNAP benefits would be terminated for failing to maintain a separate household. See Initial Decision at 2; see also Exhibit R-1 at 3-4, and N.J.A.C. 10:87-2.2.

On September 11, 2019, Petitioner came to the Agency to inquire why her benefits were being terminated. See Initial Decision at 2; see also Exhibit R-1 at 55-57. During conversation with Agency personnel, Petitioner admitted that E.B. does live with her. See Exhibit R-1 at 2.

At the hearing, the ALJ found Petitioner not credible when she insisted that E.B. does not live with her, although her name, along with E.B.'s as joint-owners, appears on the deed, and she admitted that her children sleep at the residence where E.B. lives. *Id.* at 3. Based on the evidence presented, the ALJ



concluded that Petitioner does not maintain a separate household from E.B., as claimed by Petitioner. See Initial Decision at 4; see also N.J.A.C. 10:87-2.2. Accordingly, the ALJ affirmed the Agency's action terminating Petitioner's SNAP benefits, effective October 1, 2019. See Initial Decision at 4; see also Exhibit R-1 at 3-4. I agree.

No Exceptions to the Initial Decision were filed.

As Director of the Division of Family Development, Department of Human Services, I have reviewed the record for this matter and the ALJ's Initial Decision. Following an independent evaluation of the record, I concur with the ALJ's decision in this matter and I hereby adopt the Findings of Fact and Conclusions of Law as contained in the Initial Decision.

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

Officially approved final version.

DEC 12 2019

Natasha Johnson

Assistant Commissioner

