



State of New Jersey

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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

FINAL DECISION

OAL DKT. NO. HPW 06993-19 L.L.

AGENCY DKT. NO. S709557009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner challenges the correctness of the Respondent Agency's reduction of her Supplemental Nutrition Assistance Program ("SNAP") monthly benefits amount. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was scheduled for May 2, 2019, before the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"). After the hearing began, it was determined that Petitioner required additional time to present her case. The ALJ granted Petitioner's request for additional time, the record was kept open, and the hearing was scheduled to be continued on June 19, 2019. On June 19, 2019, neither Petitioner, nor a representative on behalf of Petitioner appeared, and the record then closed. On August 27, 2019, the ALJ issued an Initial Decision, dismissing Petitioner's appeal.

No Exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination.

On May 2, 2019, Petitioner and the Agency's representative appeared before the ALJ for a hearing. See Initial Decision at 2. At that hearing, Petitioner requested additional time to present her case. Ibid. The ALJ granted Petitioner's request, and ordered the parties to appear on June 19, 2019, to continue the hearing. Ibid. Petitioner did not appear on June 19, 2019, as directed by the ALJ. Ibid. As a result, the ALJ concluded that Petitioner had abandoned the hearing, and dismissed her appeal. Ibid.

Based on the foregoing, I find that Petitioner abandoned her appeal in this matter and, therefore, the Agency's reduction of Petitioner's monthly SNAP benefits amount stands and is thereby AFFIRMED. Id. at 3; see also N.J.A.C. 10:87-8.6(a)(7)(iii).

By way of comment, in accordance with applicable regulatory authority, in cases involving SNAP benefits, a fair hearing, Initial Decision, and Final Decision are all to be completed within 60 days from the receipt of an individual's request for a fair hearing. See 7 C.F.R. § 273.15(c)(1). With this time frame in mind, it should also be noted that Initial Decisions in SNAP cases are to be issued within 14 days from the date of the hearing before the ALJ. See N.J.A.C. 1:10-18.1(b).

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



Officially approved final version.

SEP 18 2019

Natasha Johnson

Director

