



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 12514-19 M.G.

AGENCY DKT. NO. C558713002 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency denied Petitioner 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 October 31, 2019, the Honorable Danielle Pasquale, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence.

On November 7, 2019, the ALJ issued an Initial Decision, affirming the Agency's denial of Petitioner's application for SNAP benefits. The record reflects that on August 12, 2019, Petitioner applied for SNAP benefits. See Initial Decision at 2; see also Exhibit R-1 at 1-13. Petitioner reported that he resided with his two children and his ex-wife at the same address, but lived separate from his ex-wife and children in the basement. See Initial Decision 2, 3; see also Exhibit R-1 at 3. Petitioner testified that he relocated from another state and had moved into his ex-wife's home and pays her rent. See Initial Decision at 2. However, the ALJ found Petitioner not credible when he testified that he shops independently for his own food, as he was unable to produce any receipts to support his testimony. *Id.* at 3. The ALJ further found that there was no credible evidence in the record that suggested that Petitioner had a separate entrance or mailbox at the home. *Ibid.*; see also Exhibits P-1a, -1b, -1c, R-1 at 32-35. Based on the evidence presented, the ALJ concluded that Petitioner does live at the same address with his ex-wife and children, but does not maintain a separate household, as he asserts. See Initial Decision at 4; see also N.J.A.C. 10:87-2.2(a). Accordingly, the ALJ affirmed the Agency's action denying Petitioner's application for SNAP benefits. See Initial Decision at 4; see also Exhibit R-2. 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.



By way of comment, only one adjournment may be granted in SNAP fair hearings, which shall not exceed 30 days. See N.J.A.C. 10:87-8.6(a)(4)(i), and N.J.A.C. 1:10-9.1(b).

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

Officially approved final version.

Natasha Johnson

Assistant Commissioner

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