



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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TRENTON, NJ 08625-0716

NATASHA JOHNSON
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 00901-19 W.V.

AGENCY DKT. NO. C399286007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's termination of Petitioner's Supplemental Nutrition Assistance Program ("SNAP") benefits and the denial of Petitioner's application for Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency terminated Petitioner's SNAP benefits, and denied Petitioner's application for continued WFNJ/GA benefits, contending that he failed to provide information regarding his housemate and the amount of monetary assistance provided to Petitioner, and that he failed to add his housemate to his SNAP household. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 4, 2019, the Honorable Ernest M. Bongiovanni, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was left open to allow Petitioner to submit additional documents, and then closed on February 7, 2019.

On February 14, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner was a recipient of WFNJ/GA and SNAP benefits. See Initial Decision at 2. During the redetermination process of Petitioner's eligibility for continued WFNJ/GA benefits, specifically, on December 3, 2018, Petitioner provided an affidavit stating that his friend was living in his apartment, and was paying the majority of the rent. See Initial Decision at 3; see also Exhibit R-3. On December 12, 2018, Petitioner provided a letter from the housemate, stating that she provides Petitioner with monetary assistance "up to and including rent." See Exhibit R-4. On December 21, 2018, the Agency requested that Petitioner provide a letter of support stating the relationship between him and the housemate, as well as how much monetary assistance was provided monthly. See Initial Decision at 3; see also Exhibit R-2. The ALJ found that Petitioner failed to provide the requested information to the Agency, specifically, as to how much monetary assistance the housemate provided. See Initial Decision at 4. Accordingly, the ALJ concluded that the Agency's denial of Petitioner's application for WFNJ/GA benefits was appropriate and must stand. *Ibid.*; see also Exhibit R-1, and N.J.A.C. 10:90-2.2(a)(5). I agree.

At the same time the Agency denied Petitioner's application for WFNJ/GA benefits, it provided him 10 days to add the housemate to his SNAP household. See Initial Decision at 3; see also Exhibit R-1. The ALJ found that Petitioner and the housemate lived in the same apartment during the certification period, failed to appear at the Agency within that time to add the housemate to his SNAP household, and also failed to provide a reason to the Agency as to why it should not include the housemate on his SNAP case. See Initial Decision at 3, 4. Therefore, the ALJ concluded that the Agency's termination of Petitioner's SNAP was appropriate and must stand. See Initial Decision at 4; see also Exhibits P-2, P-3, and N.J.A.C. 10:87-2.2, -5.2. I also agree.

No Exceptions to the Initial Decision were received.



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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 WFNJ/GA and SNAP benefits, but is reminded that he will need to timely comply with all Agency requests for information.

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

Officially approved final version.

Natasha Johnson
Director

FEB 27 2019

