



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

CAROLE JOHNSON
Commissioner

SHEILA Y. OLIVER
Lt. Governor

TRENTON, NJ 08625-0716

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 03541-20 D.L.

AGENCY DKT. NO. C142193015 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioners, K.L. and D.L., appeal from the Respondent Agency's termination of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioners' SNAP benefits, contending that they failed to provide documents requested by the Agency. Because Petitioners appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 31, 2020, the Honorable Joan M. Burke, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On August 13, 2020, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on October 8, 2019, Petitioners reported a change in K.L.'s employment status. See Initial Decision at 2; see also Exhibit R-2. Thereafter, on October 11, 2019, the Agency requested that Petitioners provide, within 10 days from the date of the letter, a letter from K.L.'s employer, on company letterhead, containing the contact information of his new employer, the date he started working, the number of hours worked, the method of payment, and the gross amount he had already been paid. See Initial Decision at 2; see also Exhibit R-3. Petitioners did not provide the information, and therefore, on October 28, 2019, the Agency terminated Petitioners' SNAP benefits, effective December 1, 2019. See Initial Decision at 3; see also Exhibit R-1, and N.J.A.C. 10:87-2.19. Petitioner does not dispute that he did not respond to the Agency's October 11, 2019, request for additional information within 10 days. See Initial Decision at 3. Petitioner testified that he had difficulty in obtaining the requested letter from his employer, and that he did not seek assistance from the Agency in obtaining the letter from his employer. Id. at 4. The record further reflects that on February 27, 2020, when Petitioner requested a Fair Hearing on the termination of SNAP benefits, the Agency first became aware of the Petitioner's difficulty in obtaining the letter from his employer. See Initial Decision at 2, 3, 8; see also Exhibit R-4.

Based on the foregoing, the ALJ concluded that Petitioner did not respond to the Agency with the requested information, or informed the Agency of the difficulty he was having in obtaining the letter. See Initial Decision at 8. Accordingly, the ALJ affirmed the Agency's determination to terminate Petitioner SNAP benefits. Id. at 8; see also Exhibit R-1, and N.J.A.C. 10:87-2.19, -2.25. Based on an independent review of the record, I agree with the conclusion of the ALJ.

Exceptions to the Initial Decision were filed by Petitioner, and received by this office on September 1, 2020.

As Assistant Commissioner, 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, I have reviewed Petitioners' Exceptions, and I find that the arguments made therein do not alter my decision in this matter.



By way of further comment, as Petitioners have been receiving continued assistance of SNAP benefits pending the outcome of this fair hearing, the termination of Petitioners' SNAP benefits shall be deemed effective as of the date of the issuance of this Final Agency Decision.

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

SEP 10 2020

Officially approved final version.

Natasha Johnson
Assistant Commissioner

