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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 17017-19 E.H.

AGENCY DKT. NO. C069779013 (MONMOUTH COUNTY DIV. OF SOC. SVCS)

Petitioner appeals from the 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 January 3, 2020, the Honorable Mary Ann Bogan, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence.

On January 16, 2020, the ALJ issued an Initial Decision, affirming the Agency's denial of Petitioner's application for SNAP benefits. The record reflects that Petitioner and J.G. began living together in 2012, and were granted rental assistance from the Department of Community Affairs ("DCA"), as a single financial unit. See Initial Decision at 2, 4; see also Exhibits R-1, R-5. The record further reflects that Petitioner and J.G. share the monthly rental expenses and utility costs. See Initial Decision at 4; see also Exhibit R-4. On November 12, 2019, the Agency denied Petitioner's application for SNAP benefits, on the basis that she did not include J.G. as part of the SNAP household, although she and J.G. "presented [themselves] as an intact financial unit for years receiving rental assistance[.]" See Initial Decision at 3; see also Exhibit R-2, and N.J.A.C. 10:87-2.2(a), -2.20. The ALJ found that, despite Petitioner's contention that she and J.G. have never presented themselves to the Agency as a "couple," or a "family unit," Agency records show that they have shared living quarters since 2012, and that they have, in fact, presented themselves as one financial unit for the purposes of DCA housing assistance. See Initial Decision at 2, 3; see also Exhibits R-1, R-5. The ALJ further found that there was no credible evidence of a separate household, and that it is undisputed that Petitioner lives together with J.G., that they share housing costs, including utilities, and that they do not separately prepare meals. See Initial Decision at 5, 6; see also N.J.A.C. 10:87-2.2(a)(2). Based on the evidence presented, the ALJ concluded that Petitioner and J.G. comprise a single household for SNAP purposes. See Initial Decision at 6; 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 6; 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, Petitioner and J.G. are without prejudice to apply together for SNAP benefits as a household of two persons.

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

JAN 27 2023

Officially approved final version.

Natasha Johnson

Assistant Commissioner

