



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 15327-19 L.B.

AGENCY DKT. NO. C040062017 (SALEM COUNTY BOARD OF SOC. SVCS.)

Petitioner challenges the correctness of the Respondent Agency's reduction of her Supplemental Nutrition Assistance Program ("SNAP") benefits. Petitioner's SNAP benefits were reduced due to an increase in household income. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for November 18, 2019, but was adjourned. The matter was rescheduled, and on December 9, 2019, the Honorable Catherine A. Tuohy, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. Following the conclusion of the hearing, on the same date, the Agency submitted a copy of Petitioner's on-line application for SNAP benefits, and Petitioner submitted a copy of a letter indicating that W.F. did not reside with her, and a copy of a high school registration form. The record then closed on December 9, 2019, following receipt of the aforementioned documents.

On December 18, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on or about June 27, 2019, Petitioner applied for SNAP benefits. See Initial Decision at 3; see also Exhibit R-2. W.F., one of Petitioner's children, was listed as a member of the household, and that he received \$802 per month in Supplemental Security Income ("SSI") benefits. See Exhibit R-2 at 3, 6. On August 26, 2019, Petitioner notified the Agency that W.F. no longer resided at her address, and that he lived at another address. See Initial Decision at 2; see also Exhibit R-1 at 3. On September 9, 2019, the Agency became aware that W.F.'s residential address, as well as the mailing address to where his SSI benefits were being mailed, were the same as Petitioner's address. See Initial Decision at 2; see also Exhibit R-1 at 4, 5. Additionally, an Agency investigation revealed that W.F. did not reside at the address Petitioner had listed in her August 26, 2019, letter. See Initial Decision at 2, 3, 4; see also Exhibit R-1 at 3, 6. Accordingly, on September 17, 2019, the Agency notified Petitioner that, effective October 1, 2019, her monthly SNAP benefit amount was reduced from \$539 to \$190, as a result of W.F.'s monthly SSI benefits being included as part of the household's total income. See Initial Decision at 2; see also Exhibit R-1 at 1-2, 5, 7-8, and N.J.A.C. 10:87-5.5(a)(2).

Petitioner contends that W.F. has never lived with her, and that he is living with his girlfriend at another address. See Initial Decision at 3, see also Exhibits P-1, P-2, R-1 at 3. The ALJ found that W.F. was



listed as a member of Petitioner's household when she applied for SNAP benefits on June 26, 2019, that W.F. receives his SSI benefits at Petitioner's address, and that W.F. was registered for high school at Petitioner's address. See Initial Decision at 5; see also Exhibits P-2, R-1 at 6, 7-8. Therefore, the ALJ concluded that W.F. was a member of Petitioner's household, and as such, his income was countable towards the total household income in calculating Petitioner's SNAP benefits. See Initial Decision at 5; see also N.J.A.C. 10:87-2.2(a), -5.5(a)(2). Accordingly, the ALJ affirmed the Agency's reduction of Petitioner's monthly SNAP benefits. See Initial Decision at 5; see also Exhibit R-1 at 1-2, and N.J.A.C. 10:87-5.5(a)(2). I agree.

No Exceptions to the Initial Decision were filed by either party.

As the Director of the Division of Family Development, Department of Human Services, I have considered the record in this matter and the ALJ's Initial Decision and I concur with the ALJ's decision, and hereby adopt the Findings of Fact and Conclusion of Law in this matter.

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

Officially approved final version. *JAN - 7 2019*

Natasha Johnson
Assistant Commissioner

