



*State of New Jersey*

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*Governor*

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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 **07790-20 S.A.**

AGENCY DKT. NO. **S731087009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner challenges the Respondent Agency's denial of her application for Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency denied Petitioner SNAP benefits because Petitioner's countable household income exceeded the maximum permissible level for receipt of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A telephonic plenary hearing was scheduled for September 22, 2020, before the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"). On September 24, 2020, the ALJ issued an Initial Decision, dismissing Petitioner's appeal.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision and AFFIRM the Agency's denial of SNAP benefits.

Regulatory authority applicable to SNAP benefit cases, defines income as "all income from whatever source unless such income is specifically excluded." See N.J.A.C. 10:87-5.3. Additionally, for SNAP benefits cases, unearned income includes unemployment compensation, survivors, disability, and Social Security benefits for both adults and children in the household. See N.J.A.C. 10:87-5.5(a)(2).

The record in this matter reflects that, on September 22, 2020, Petitioner and the Agency's representative appeared for the scheduled hearing via telephone due to the COVID pandemic and applicable restrictions. See Initial Decision at 2. While the ALJ was conferencing the matter with the parties prior to beginning the fair hearing, Petitioner hung up and did not call back to rejoin the conference or proceed with the hearing. Ibid. Based upon Petitioner's failure to call back on the phone to conduct the hearing, the ALJ determined that Petitioner had abandoned her request for a hearing in the matter and dismissed the case. Ibid.

Based on the foregoing, I find that Petitioner abandoned her appeal in this matter and, therefore, I affirm the Agency's denial of Petitioner's application for SNAP benefits and dismiss the case.



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

Officially approved final version.

OCT - 1 2020

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Natasha Johnson

Assistant Commissioner

