



## State of New Jersey

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*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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*Commissioner*

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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 **07904-25 A.B.**

AGENCY DKT. NO. **C205856009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner challenges the correctness of the Respondent Agency's demand to repay overissued Supplemental Nutrition Assistance Program ("SNAP"), and Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF"), benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. The matter was initially scheduled for August 5, 2025, at which time the matter was adjourned to September 10, 2025, and then again to September 18, 2025, at which time a further adjournment was made to September 25, 2025. On September 25, 2025 the Honorable Bindi Merchant, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On October 6, 2025, the ALJ issued an Initial Decision, reversing the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the record in this matter and I hereby ADOPT the Initial Decision, and REVERSE the Agency determination, based on the discussion below.

Here, the record reveals that the Agency sent Petitioner a notice regarding repayment of WFNJ/TANF and SNAP benefits paid to his household from January, 2012 through September, 2016. See Initial Decision at 2. At the time of the hearing, testimonial and evidentiary evidence was presented that on December 2, 2016, M.B., Petitioner's now deceased father, had signed a waiver of right to an administrative disqualification hearing for an Intentional Program Violation ("IPV") for failure to report earned income. See Initial Decision at 3; see also Exhibits R-1, R-2. M.B. agreed to a repayment arrangement whereby he would repay the overissued WFNJ/TANF benefits from January, 2012, through December, 2015 in the total amount of \$26,560, and the overissued SNAP benefits from January, 2012 through September, 2016, in the total amount of \$15,633. Ibid. M.B. passed away prior to any payments being made pursuant to the repayment arrangement. See Initial Decision at 3.

At the time of the hearing, Petitioner testified that he was a minor child of M.B. until May, 2013 and that he was unaware that his household received WFNJ/TANF or SNAP benefits from 2012 through 2016, as well as that he was unaware that his father agreed to repay any overissued benefits. See Initial Decision at 3. Petitioner testified that upon reaching the age of majority, he left his household in May, 2013 and from that time through November, 2013 was involved in military training. Ibid. Petitioner returned to his parent's household from November, 2013 to June, 2014, however, he testified he was unaware of the receipt of any benefits. Ibid. Petitioner left the household in July, 2014, to reside with his then girlfriend and did not reside in his parent's household through December, 2016. Ibid. In addition, repayments have only been made via debt off-set programs by Petitioner's mother, A.M. Ibid.



Based on the foregoing, the ALJ found that Petitioner was a minor in the household when M.B., his father, first applied for benefits on behalf of the household and that Petitioner was unaware of the receipt of benefits as well as that his father had committed an IPV by failing to properly report his income. See Initial Decision at 4. Additionally, with the exception of a period of time from November, 2013 to June, 2014, Petitioner did not reside in the household. Ibid. Accordingly, the ALJ concluded that Petitioner is not responsible for the repayment of the overissued WFNJ/TANF or SNAP benefits, as he was a minor until 2013, and overissuance collection from minors is prohibited pursuant to regulation, and further that, even after reaching the age of majority, he did not reside in the household, such that the Agency determination must be reversed. Ibid.; see also N.J.A.C. 10:87-11.20(d)(1) (only adult members that reside in the household during the overpayment are responsible for repayment of claims). I agree.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is REVERSED, as outlined above.

Officially approved final version. November 06, 2025

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Natasha Johnson  
Assistant Commissioner

