



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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Commissioner

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Lt. Governor

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 **06891-25 A.D.**

AGENCY DKT. NO. **C271031020 (UNION COUNTY DIVISION OF SOC. SVCS.)**

Petitioner challenges the correctness of the Respondent Agency's claim for recovery of Supplemental Nutrition Assistance Program ("SNAP") benefits issued to Petitioner between June, 2024 and September, 2024. The Agency terminated Petitioner's SNAP benefits as it asserted that Petitioner had moved out of Union County, without informing the Agency, thereby resulting in the overissuance of benefits which must be repaid. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On July 17, 2025, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, admitted documents into evidence, and the record then closed. On July 17, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency actions, based on the discussion below.

Regulatory authority applicable to SNAP benefit cases, requires that a household must be a resident of the county in which it files an application for participation. See N.J.A.C. 10:87-3.2.

In the instance of an overpayment of benefits, the Agency must recoup the overissuance. See N.J.A.C. 10:87-11.20. One type of overpayment which is subject to recoupment is one which results from "a misunderstanding or unintended error on the part of the household" receiving benefits, called an "Inadvertent Household Error" ("IHE"). See N.J.A.C. 10:87-11.20(e)(2). Repayment of overissuances may be sought for up to six years following the time that the Agency becomes aware of the overpayment. See N.J.A.C. 10:87-11.20(f)(1)(i).

Here, the record reveals that Petitioner had moved to Essex County at some time during June, 2024, but was receiving SNAP benefits from Union County through September 1, 2024. See Initial Decision at 2; see also Exhibit R-1. The Agency determined, via a wage verification form received from the employer of Petitioner's husband, that Petitioner's husband was residing in Essex County since his employment began on June 4, 2024. See Initial Decision at 3; see also Exhibit R-1. Further, the ALJ found that a review of the transaction summary for Petitioner's SNAP benefits usage from June, 2024, through September, 2024, indicated purchases made solely within Essex County. See Initial Decision at 2; see also Exhibit R-2. Petitioner, at no time, reported a change of address to the Agency. See Initial Decision at 4. Based on the foregoing, the ALJ found that the Agency had met its burden in establishing, by a preponderance of the credible evidence, that Petitioner received an overissuance of SNAP benefits, in the amount of \$3,052.65, to which she was not entitled,



which must now be repaid. See Initial Decision at 4-5; see also Exhibit R-1, and N.J.A.C. 10:87-3.2(a), -3.3, -9.5, -11.20. I agree.

I ORDER and direct that the Agency proceed to recoup the overissuance.

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

Officially approved final version. August 20, 2025

Natasha Johnson
Assistant Commissioner

