



State of New Jersey

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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 **08987-24 A.E.**

AGENCY DKT. NO. **S975526009 (HUDSON COUNTY DEPT OF FAM SVCS)**

The transmittal in this matter states that Petitioner was challenging a reduction of Supplemental Nutritional Assistance Program ("SNAP") benefits due to a previously heard and determined overissuance case in another county in 2022, which resulted in a recoupment of the overissuance through a reduction of monthly SNAP benefits. Because Petitioner requested a fair hearing, the matter was transmitted to the Office of Administrative Law for a hearing. On October 29, 2024, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents. On December 13, 2024, the ALJ issued an Initial Decision, finding that the matter of the overissuance was previously heard and fully litigated and dismissing the appeal as moot.

No Exceptions to the Initial Decision were received from either party.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I hereby ADOPT the Initial Decision, and AFFIRM the Agency's recoupment by reduction of Petitioner's monthly SNAP benefits.

Here, it is clear that an overissuance case was previously heard and determined in 2022. See Initial Decision at 2. The record in this matter reflects that, as of May 21, 2024, the balance remaining to be paid on that overissuance was \$2,426. Ibid. The record further shows that the overissuance claim was transferred to Hudson County, where Petitioner currently resides since March 2024, from Salem County, where Petitioner resided at the time of the overissuance. Ibid.

During the course of the hearing before the ALJ, it became clear that Petitioner was not appealing the previously litigated overissuance or the recoupment of that overissuance. Id. at 2, 3. Rather, Petitioner claimed that his three adult children, aged 20, 26 and 27, who are full-time college students, had been included in his SNAP household in Salem County, and had received SNAP benefits accordingly, and should continue to receive SNAP benefits from Hudson County. Ibid. The ALJ correctly found that the issue of the overissuance claim, and resulting recoupment had been fully litigated and determined. Ibid. I agree. Further, while not a transmitted issue, the ALJ also correctly noted that, in accordance with N.J.A.C. 10:87-3.14, Petitioner's children do not work while they are attending college, and do not otherwise meet the SNAP eligibility criteria for full-time college students such that they may be included in Petitioner's SNAP household. Id. at 4-5. I also agree.

Accordingly, the Initial Decision in this matter is ADOPTED, and the Agency's reduction of Petitioner's SNAP benefits allotment, as a result of a previously determined overissuance and recoupment, is hereby AFFIRMED.



Officially approved final version. January 02, 2025

Natasha Johnson
Assistant Commissioner

