



## State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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SARAH ADELMAN  
*Commissioner*

TAHESHA L. WAY  
*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 **14106-24 A.M.**

AGENCY DKT. NO. **C060179005 (CAPE MAY COUNTY WELFARE BOARD)**

Petitioner Agency charges Respondent with committing an intentional program violation ("IPV"), as defined by N.J.A.C. 10:87-11.3 and 7 C.F.R. 273.16, of the Supplemental Nutrition Assistance Program ("SNAP") and, as defined by N.J.A.C. 10:90-11.1(a), the Work First New Jersey/Temporary Assistance to Needy Families ("WFNJ/TANF") Program. The Agency asserts that Respondent intentionally provided incomplete, misleading, false, or inaccurate information in order to obtain benefits at the time of her applications, and while she received SNAP and WFNJ/TANF benefits, thus causing Respondent to receive overissuances of benefits to which she was not entitled. Respondent was properly noticed of the Administrative Disqualification Hearing, the charges against her, and the proposed disqualification penalty, via personal service, on September 10, 2024. See Exhibit P-1 at 128; see also N.J.A.C. 10:87-11.5(a)(3)(i) and 7 C.F.R. 273.16(e)(3)(i). Because Respondent failed to execute and return the waiver of her right to a hearing, the matter was transmitted to the Office of Administrative Law for a hearing as a contested case. Respondent requested an adjournment of the hearing scheduled for October 31, 2024, which Petitioner consented to, and such adjournment was granted. Respondent requested an additional adjournment on November 13, 2024, which Petitioner consented to, and such adjournment was granted. On December 5, 2024, the Honorable Catherine A. Tuohy, Administrative Law Judge ("ALJ," ) held a plenary hearing, took testimony, admitted documents, and the record closed.

On December 19, 2024, the ALJ issued an Initial Decision, which found that the Agency had met its burden in establishing, by clear and convincing evidence, that Respondent had deliberately and intentionally withheld information from the Agency, which resulted in Respondent receiving an overissuance of SNAP benefits as well as an overissuance of WFNJ/TANF benefits, to which she not entitled. See Initial Decision at 9; see also N.J.A.C. 10:87-11.3(a), -11.5(a)(6), N.J.A.C. 10:90-11.1(a), 7 C.F.R. 273.16(c)(1), and 7 C.F.R. 273.16(e)(4). Specifically, the ALJ found that Respondent intentionally submitted forged documents to the Agency, provided false or misleading statements and misrepresented facts, and/or intentionally withheld or concealed facts relating to her claims she was homeless and/or residing with her boyfriend, who she did not include as a member of her household, in order to receive benefits to which was not entitled. Ibid. I agree. Such misrepresentations resulted in an overissuance of SNAP benefits to Respondent in the amount of \$1,957 for the period of August, 2023 to September, 2024, as well as an overpayment of WFNJ/TANF benefits of \$1,714 for the period of August, 2023 to September, 2024. Id. at 9; see also Exhibit P-1 at 132-141, see also N.J.A.C. 10:90-1.13(b). In addition, during the time she was receiving WFNJ/TANF benefits, Respondent received an overpayment of Emergency Assistance ("EA") benefits of \$2,296 for July, 2024 through August, 2024. Id.; see also Exhibit P-1 at 142-145.

As this was the first IPV committed by Respondent, the ALJ ordered the mandatory regulatory penalty of a 12-month disqualification from receipt of SNAP benefits, pursuant to N.J.A.C. 10:87-11.2(a)(1) (see also 7 C.F.R. 273.16(b)(1))



(ii) and the mandatory regulatory penalty of a 6-month disqualification from receipt of WFNJ/TANF benefits. See Initial Decision at 5; see also N.J.A.C. 10:90-11.11(a)(1). I also agree.

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the Initial Decision in this matter, and following an independent evaluation of the record, I concur with the ALJ's decision, and hereby adopt the Findings of Fact and Conclusion of Law in this matter. See 7 C.F.R. 273.16(e)(6).

I direct that the Agency proceed to recoup the outstanding balance of the overissuances of SNAP, WFNJ/TANF, and EA benefits. See N.J.A.C. 10:87-11.20; see N.J.A.C. 10:90-3.21(a), see also 7 C.F.R. 273.18.

Accordingly, based upon the foregoing, I hereby ADOPT the Initial Decision in this matter, and ORDER that Respondent is disqualified from receipt of SNAP benefits for a period of 12 months and disqualified from receipt of WFNJ/TANF benefits for a period of 6 months. I further ORDER that the Agency is to recoup the overissuances of SNAP and WFNJ/TANF benefits.

Officially approved final version. January 28, 2025

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Natasha Johnson  
Assistant Commissioner

