



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
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 **07951-24 B.R.**

AGENCY DKT. NO. **C628399007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency denied Petitioner SNAP benefits, contending that she was over the allowable gross income eligibility threshold. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 28, 2024, the Honorable Daniel J. Brown, Administrative Law Judge ("ALJ"), held a prehearing conference, extended the discovery period, and scheduled the hearing. On November 13, 2024, the ALJ held a telephonic plenary hearing, took testimony, and admitted documents, and the parties were given the option to submit written summations by November 20, 2024. Petitioner's attorney submitted a written summation on November 20, 2024. On December 11, 2024, the ALJ held a telephone conference with the parties and requested the submission of additional information from the Agency, which was received the same day, and the record then closed. On December 13, 2024, 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, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, REVERSE the Agency's determination, and REMAND the matter to the Agency, based on the discussion below.

Here, the ALJ in this matter issued a very thorough and comprehensive Initial Decision, providing a detailed and well thought out analysis, applying law to fact. See Initial Decision at 2-8. Specifically, the ALJ found that, during the course of determining Petitioner's SNAP eligibility, the Agency utilized information from the New Jersey Department of Labor ("NJDOLE") showing wages paid by a different company to a social security number that is not Petitioner's social security number. Id. at 3; see also Exhibit R-6, R-8. However, upon further examination of Petitioner's paystubs and W-2, it was determined that Petitioner's employer erroneously entered Petitioner's social security number on her W-2 form, and, as such, the NJDOLE documents provided incorrect wage information. See Initial Decision at 4; see also Exhibits P-1, P-2, P-5, P-9, P-13, P-15 and R-10. The ALJ concluded that Petitioner's income was properly represented by her paystubs and, based on the foregoing, the ALJ concluded that Petitioner was improperly denied SNAP benefits due to the Agency's reliance on the NJDOLE information regarding wages that exceeded the gross amount of income allowable for her household, and that the Agency's decision to deny Petitioner's application for SNAP benefits must be reversed. See Initial Decision at 7. I agree, and as such, I am remanding this matter back to the Agency for further action as follows. Using the attributable gross income, as found during the hearing before the ALJ, and based upon documentation provided during the hearing, within fifteen (15) days of the date of issuance of this Final Agency Decision, the Agency shall calculate Petitioner's SNAP benefits allotment. See N.J.A.C. 10:87-6.16, -12.4. Based upon those calculations, Petitioner is to be



provided with retroactive SNAP benefits to August 7, 2023, the date of her application. See N.J.A.C. 10:87-8.18. The Initial Decision is modified to reflect these findings.

Accordingly, the Initial Decision in this matter is MODIFIED, and the Agency's determination is REVERSED, and the matter REMANDED to the Agency for further action, as outlined above.

Officially approved final version. February 20, 2025

Natasha Johnson
Assistant Commissioner

