



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

TRENTON, NJ 08625-0716

SARAH ADELMAN
Commissioner

TAHESHA L. WAY
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 07339-25 B.T.

AGENCY DKT. NO. C138481001 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutritional Assistance Program ("SNAP") benefits at recertification. The Agency denied Petitioner continued SNAP benefits at recertification, contending that Petitioner's countable household income exceeded the maximum permissible level for receipt of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On July 3, 2025, the Honorable Kathleen M. Calemme, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents. On July 8, 2025, the ALJ issued an Initial Decision, affirming 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 considered the ALJ's Initial Decision, and following an independent review of the record, the ALJ's Initial Decision is hereby ADOPTED and the Agency determination is AFFIRMED, based on the discussion below.

Regulatory authority applicable to SNAP benefit cases, defines income as "all income from whatever source unless such income is specifically excluded." See N.J.A.C. 10:87-5.3. "Earned income" is defined, in pertinent part, as "[a]ll wages and salaries received as compensation for services performed as an employee[.]" See N.J.A.C. 10:87-5.4(a)(1). In order to determine an applicant's eligibility for SNAP, the applicant's income and resources must be below a certain threshold. N.J.A.C. 10:87-6.16(d)(2), states that households that do not contain an elderly or permanently disabled household member must meet both the gross income test, as well as the net income test, meaning that the respective income amounts must be below the established standards. See also N.J.A.C. 10:87-12.3, -12.4.

Gross income is determined by adding together the household's monthly earned and unearned income, minus any earned income exclusions. See N.J.A.C. 10:87-6.16(b), (b)(1). That total gross income amount is then utilized to determine a household's SNAP eligibility in accordance with N.J.A.C. 10:87-6.16(d)(1) and (2). The maximum allowable gross income level for a household of six persons for SNAP benefits eligibility is \$6,469. See DFD Instruction ("DFDI") 24-10-04 at 14.

Here, the record reflects that Petitioner submitted a recertification application for continued SNAP benefits, on behalf of her household of six, on January 15, 2025, and reported that both adults in the household earned income every two weeks. See Initial Decision at 2; see also Exhibit R-1 at 31-39. Based on the paystubs provided, the Agency calculated the total gross monthly income of the household to be \$6,562. See Initial Decision at 2-3; see also Exhibit R-1 at 2, 17-18. On March 17, 2025, the Agency denied Petitioner continued SNAP benefits at recertification, due to the household income exceeding the maximum allowable gross income level for receipt of SNAP benefits. See Initial Decision at 3; see



also Exhibit R-1 at 1-2, and N.J.A.C. 10:87-12.4. The maximum allowable gross income amount for SNAP eligibility, for a household of six persons, at the time of Petitioner's recertification for SNAP benefits was \$6,469, and as Petitioner's household's gross income was determined to exceed that threshold, Petitioner's household was found ineligible for continued SNAP benefits. See Initial Decision at 2-5; see also DFD Instruction ("DFDI") 24-10-04 at 14, and Exhibit R-1 at 2, 17-18. Based on the foregoing, the ALJ found that the Agency's denial of SNAP benefits to Petitioner at recertification was proper and must stand. See Initial Decision at 5. I agree.

By way of comment, Petitioner is without prejudice to reapply for SNAP benefits, should her circumstances change. Petitioner is advised to communicate directly with the Agency with regards to the applications and any required documentation.

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 14, 2025

Natasha Johnson

Assistant Commissioner

