



## State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716

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 11498-25 D.C.

AGENCY DKT. NO. C249171020 (UNION COUNTY DIVISION OF SOC. SVCS.)

Petitioner challenges the correctness of the Respondent Agency's claim for recovery of Work First New Jersey/General Assistance ("WFNJ/GA") benefits issued to Petitioner between February, 2024 and June, 2024 and Supplemental Nutrition Assistance Program ("SNAP") benefits issued to Petitioner between February, 2024 and January, 2025. The Agency asserts that Petitioner received WFNJ/GA and SNAP benefits to which he was not entitled, 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 September 5, 2025, the Honorable Sandra L. Lascari, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, admitted documents into evidence, and the record then closed. On September 19, 2025, the ALJ issued an Initial Decision, affirming the Agency's determinations.

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.

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).

Similarly, under the WFNJ regulations, a WFNJ benefits recipient is required to satisfy any repayment obligation pursuant to state or Federal law governing public assistance. See N.J.A.C. 10:90-2.2(a)(7).

Here, the record reflects that Petitioner received SNAP benefits from February, 2024 through January, 2025, and WFNJ/GA benefits from February, 2024 through June, 2024. See Initial Decision at 2-3; see also Exhibit R-2, R-3. Based upon an Out-of-State EBT Usage Report, the Agency received information that all of Petitioner's SNAP benefits purchases were made in Pennsylvania. See Initial Decision at 3; see also Exhibit R-5, R-8. No SNAP benefits were used for transactions within New Jersey. Ibid. Thereafter, the Agency investigator determined that Petitioner maintained an address in New Jersey through August 2024, and was a registered agent for a business located in New Jersey, as well as maintaining an address in Pennsylvania from May, 2024 through July, 2024, and owning a business in Pennsylvania. See Initial Decision at 3; see also Exhibit R-6. Tax records within New Jersey indicate that Petitioner co-owns a home with his mother and tax records within Pennsylvania indicate that Petitioner co-owns a home with another individual. See Initial



Decision at 3; see also Exhibit R-6. The Agency sent Petitioner a Request for Contact seeking specific documentation including his current lease or mortgage statement, utility expenses, and a form of New Jersey issued identity verification with his address. See Initial Decision at 3; see also Exhibit R-7. The Agency further attempted to schedule an interview with Petitioner, however, he failed to appear. See Initial Decision at 3. At the time of the hearing, Petitioner presented a current New Jersey driver's license as well as two mortgage bank statements including his name and his mother's name. Ibid.; see also Exhibits P-1, P-2, P-3, and P-4. Petitioner provided no other legally competent evidence to support he resides within New Jersey. Ibid. Petitioner would not testify as to his location at the time of the hearing, and would not provide any utility documentation. See Initial Decision at 4. Based on the foregoing, the ALJ found that Petitioner's testimony directly contradicted the evidence in the record, such that his testimony was not credible. Ibid. Accordingly, the ALJ found that Petitioner did not reside within New Jersey at the time of his receipt of WFNJ/GA and SNAP benefits, and concluded that the Agency had met its burden in establishing, by a preponderance of the credible evidence, that Petitioner had received an overissuance of WFNJ/GA in the amount of \$921.20, and SNAP benefits, in the amount of \$3,247.53, to which he was not entitled, which must now be repaid. See Initial Decision at 4-5; see also N.J.A.C. 10:87-5.4(a)(1), -9.5, -11.20 and N.J.A.C 10:90-2.11(a)(1), -3.21(a)(1), (2), (3). 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.      October 16, 2025

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Natasha Johnson  
Assistant Commissioner

