



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 15663-24 D.S.

AGENCY DKT. NO. C072773006 (CUMBERLAND COUNTY BD OF SOC SVCS.)

Petitioner challenges the correctness of the Respondent Agency's calculation of his monthly Supplemental Nutrition Assistance Program ("SNAP") benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 18, 2024, the Honorable William T. Cooper III, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents into evidence. On January 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. Additionally, for SNAP benefits cases, unearned income includes survivors, disability, and Social Security benefits for both adults and children in the household, and also includes unemployment compensation. See N.J.A.C. 10:87-5.5(a)(2).

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 outlines the procedures used to calculate net income and benefit levels for SNAP recipients. The regulation provides that the applicant's monthly net income is determined by adding together all earned and unearned income, then subtracting all income exclusions. Then, the standard deduction, based upon the size of the household, is subtracted from the income.

Thereafter, the household is evaluated to determine if a medical deduction is appropriate, which is if the household has medical expenses that exceed \$35.00. If the household is entitled to a medical deduction, then the amount in excess of \$35.00 is subtracted from the applicant's income. Then, the applicant is evaluated for an excess shelter deduction. Such a deduction is permitted when the individual's shelter costs exceed 50% of their net income. If this deduction is allowable, then the difference between the shelter costs and the 50% net income, or up to the maximum allowable amount, is subtracted from the individual's income. The remaining figure is Petitioner's net income. This net income is then compared against the maximum allowable net income amount for the household's size, as outlined at N.J.A.C. 10:87-12.3, to determine eligibility. If eligible, the household's monthly SNAP allotment shall be equal to the maximum food stamp allotment for the household's size, reduced by 30 percent of the household's net monthly income. See N.J.A.C. 10:87-12.6(a)(1).



Here, the record shows that Petitioner filed an application for SNAP benefits on June 13, 2024, wherein he included his Schedule C, from his 2023 Form 1040 income tax return which stated gross receipts, as well as business expenses. See Initial Decision at 2. Following the submission of his application, the Agency, pursuant to Division of Family Development Instruction ("DFDI") No. 13-12-01, reduced Petitioner's gross receipts by 51%, which derived a lower net profit for Petitioner. Ibid. Based upon this amount, Petitioner's gross household income was determined to be \$2,117 per month. Id. at 2, see also Exhibit R-1 at 6-10. Incorporating Petitioner's earned income into the SNAP eligibility calculations, and providing the standard deduction and a utility credit, the Agency calculated Petitioner's SNAP benefits allotment to be \$23. See Initial Decision at 2; see also Exhibit R-1 at 4. However, Petitioner receives a SNAP allotment of \$95, as the minimum SNAP allotment was raised to that amount due to a change in State law. See N.J.A.C. 10:87-13.1 et seq. Petitioner was notified his SNAP application was approved on July 10, 2024, which notice additionally included language to inform the Agency if his employment and/or income had changed. Id. at 2.; see also Exhibit R-1 at 2. Subsequently, Petitioner submitted a variety of documents to the Agency, on or about December 16, 2024, to challenge the Agency's calculation of his household's net income including information regarding commissions received from March, 2023 through July, 2024, income information for July to September 2024, a self-employment expenses document, and credit card statements. See Initial Decision at 3, see also Exhibits P-1, P-3, P-4, P-6. Following a thorough analysis, the ALJ concludes that the Agency correctly calculated Petitioner's net household income and that the documents submitted did not assist in any determination as to additional expense reductions. See Initial Decision at 4. Based on the foregoing, the ALJ concluded that the Agency's calculations of Petitioner's monthly SNAP benefits allotment were correct and must stand. Id. at 5. Based upon an independent review of the record, I agree.

Accordingly, the Initial Decision in this matter is ADOPTED, and the Agency's determination is hereby AFFIRMED, as outlined above.

Officially approved final version.

January 28, 2025

Natasha Johnson

Assistant Commissioner

