



## State of New Jersey

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*Governor*

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

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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 **15918-24 F.D.**

AGENCY DKT. NO. **C181658020 (UNION COUNTY DIVISION OF SOC. SVCS.)**

Petitioner challenges the correctness of the Respondent Agency's claim for recovery of Supplemental Nutrition Assistance Program ("SNAP") benefits issued to Petitioner for the months of October 2022 through March 2023, May 2023 through August 2023, October 2023 through December 2023, and March 2024. The Agency asserts that Petitioner's household received SNAP benefits to which it was not entitled, thereby resulting in an overissuance of benefits which must be repaid. On January 9, 2025, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held the plenary hearing, took testimony, and admitted documents. On January 22, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the record in this matter and I hereby MODIFY the Initial Decision, and AFFIRM the Agency determination, based on the discussion below.

SNAP is designed to promote the general welfare and to safeguard the health and well-being of the population by raising the levels of nutrition among low-income households. See N.J.A.C. 10:87- 1.1(a). In the instance of an overpayment of benefits, the Agency must recoup the overissuance. See N.J.A.C. 10:87-11.20. Overpayment claims are considered federal debts, which must be established and collected. See N.J.A.C. 10:87-11.2(b). 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 amounts going back six years prior to the time that the Agency becomes aware of the overpayment. See N.J.A.C. 10:87-11.20(f)(1)(i).

In order to determine eligibility for SNAP benefits, mandatory verification of certain information is required, such as household income, both earned and unearned income, as well as residency. See N.J.A.C. 10:87-2.19, -2.20.

Here, the record reflects that Petitioner's household had been approved for receipt of SNAP benefits for a household of three people. See Initial Decision at 2; see also Exhibit R-1 at 32. The Agency verified that Petitioner received earned income from five different employers during various time periods from 2022 through 2024 and determined, based upon the income amounts, that Petitioner failed to accurately report her earned income from her employers. See Initial Decision at 2; see also Exhibit R-1 at 10-21. In order to determine a household's eligibility for SNAP benefits, all income must be known and are factored into the eligibility calculations. See N.J.A.C. 10:87-6.16. At the hearing, Petitioner argued that she has a twin sister who possess a Social Security number that differs from Petitioner's by only one digit, whose first name



differs by one letter, and that both had worked for the same employers, resulting in an issue of mistaken identity, whereby her sister's wages had been mistakenly applied to her. See Initial Decision at 3. As a result of the failure to properly report all earned income, the ALJ concluded that Petitioner's household had received an overpayment of, to which she was not entitled, for the months of October 2022 through March 2023, May 2023 through August 2023, October 2023 through December 2023, and March 2024, which must now be repaid. Id. at 3-5; see also Exhibit R-1 at 3, 4, 5-9, 29, 33, and N.J.A.C. 10:87-11.20(b), (e)(2). Based on an independent review of the record, I agree, however, the Initial Decision is modified to reflect the correct overissuance amount of \$6,575.08, and not \$6,535.08, as stated in the Initial Decision. See Exhibit R-1 at 5-9. As such, I direct that the Agency proceed to recoup the overissuance.

Accordingly, the Initial Decision is hereby MODIFIED and the Agency determination is AFFIRMED.

Officially approved final version. February 11, 2025

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Natasha Johnson  
Assistant Commissioner

