



State of New Jersey

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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 13731-24 J.A.

AGENCY DKT. NO. **S949646009** (HUDSON COUNTY DEPT OF FAM 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 5, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence. On January 13, 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 ("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 reveals that Petitioner's SNAP eligibility was recertified by the Agency on April 4, 2024, at which time the Agency verified Petitioner's income from Social Security Insurance ("SSI"). See Initial Decision at 2; see also Exhibit R-1. Based on the foregoing, and the documentary evidence presented, the ALJ concluded that the Agency's calculations of Petitioner's monthly SNAP benefits allotment were correct and must stand. See Initial Decision at 2. Based upon an independent review of the record, I agree. At the time of the hearing, it was discovered that Petitioner now resides within Somerset County, rather than Hudson County, and the Petitioner was advised that his Hudson County case must be closed and he must reapply within Somerset County for SNAP benefits. Ibid. Therefore, the ALJ found that Petitioner currently resides within Somerset County, and that, if he wishes to continue to receive SNAP benefits, he must apply for SNAP benefits with the Somerset County Board of Social Services who will determine his eligibility for same. I also 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

