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STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW **14590-24 J.P.**

AGENCY DKT. NO. **C117420008 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's SNAP benefits, contending that Petitioner did not maintain a separate household. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 15, 2024, the Honorable Elaine B. Frick, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence. On November 26, 2024, the ALJ issued an Initial Decision, affirming the Agency's termination of SNAP benefits.

Here, the record reflects that Petitioner applied for, and began receiving, SNAP benefits on January 3, 2019. See Initial Decision at 2; see also Exhibit R-1 at 9. Petitioner initially received SNAP benefits on behalf of herself, and in November 2021, added her first child, and then in July 2024, added her second child. See Initial Decision at 2; see also Exhibit R-1 at 34. Throughout receipt of SNAP benefits, Petitioner has maintained that she resides with her parents in Gloucester County. See Initial Decision at 2. On June 17, 2024, Petitioner was referred to the Agency for investigation to verify her household composition. *Ibid.*; see also Exhibit R-1 at 10. In June 2024, the Agency's SNAP unit interviewed Petitioner by telephone regarding her recertification for SNAP benefits, during which Petitioner reported she was pregnant and would be giving birth in July 2024. See Initial Decision at 2. Petitioner reported that the father of her first child, B.L., was also the father of her second child, and that he was an absent parent, she did not know where he was living, and she was not receiving any child support from him. See Initial Decision at 2-3; see also Exhibit R-1 at 10. Thereafter, the Agency investigator began researching Petitioner and found that Petitioner and B.L. signed the certificate of parentage for their first child, as well as their second child, who was born on July 10, 2024. See Initial Decision at 3; see also Exhibit R-1 at 25-26. On the certificate of parentage for each child, Petitioner used her parent's home address, while B.L. used another address, located in Camden County. See Initial Decision at 3. The investigator further performed background checks including gathering information from various sources such as professional licensing records, motor vehicle commission records, phone records, and Department of Labor records for both Petitioner and B.L. *Ibid.*; see also Exhibit R-1 at 15-19, 20-24, 27-33. The investigation showed that B.L. consistently used his Camden County address, however, Petitioner used both her parent's address in Gloucester County and B.L.'s address in Camden County. *Ibid.*

The Agency investigator further researched social media postings of Petitioner and B.L. from 2020 through September 2024. See Initial Decision at 4-6. The social media postings of Petitioner included photographs of herself and B.L. from May 23, 2020, stating that they had purchased their first home at the Camden County address. See Initial Decision at 4. Upon further investigation, the Agency determined Petitioner to be co-owner of the property based upon tax records, and noting that Petitioner was added to the deed during 2023. *Ibid.* In the Initial Decision, the ALJ discusses, at length, the social media records of Petitioner presented by the Agency investigator at the hearing, including postings and



photographs spanning from 2020 through 2024, noting the location of many of the photographs being the Camden County address or nearby locations. Ibid. Further, Petitioner's posts often showed photographs of herself, B.L., and/or their child(ren) together, and where B.L. is "tagged" as being at the same location as Petitioner. Ibid. Most pertinent to the SNAP recertification matter, from June 7, 2024 through June 16, 2024, Petitioner posted multiple social media updates including photographs of her with B.L. and their child celebrating B.L.'s birthday, a trip to the beach, and on Father's Day. Id. at 5; see also Exhibit R-1 at 45-50. Additionally relevant to the time of the SNAP recertification, Petitioner updated her social media profile picture on July 11, 2024, to one depicting herself, B.L., her older child, and her newborn child the day after she was born. See Initial Decision at 5; see also Exhibit R-1 at 42. Petitioner further posted several photographs of bringing home her newborn child to the Camden County address. See Initial Decision at 5; see also Exhibit R-1 at 43. During August 2024, Petitioner continued to post photographs with B.L. See Initial Decision at 6. Upon investigating B.L.'s social media, the Agency investigator noted that he updated his social media profile during July 2024 to include the same photographs used by Petitioner on her social media, and posted additional photographs with Petitioner during September 2024. Ibid.; see also Exhibit R-1 at 74, 78-79.

Upon concluding his investigation, the Agency investigator completed a report on August 7, 2024, indicating Petitioner's SNAP benefits should be closed as she is not maintaining a separate household from B.L. and that she is not residing within Gloucester County. See Initial Decision at 6; see also Exhibit R-1 at 89. Thereafter, the Agency issued a termination letter on August 15, 2024, indicating the Agency would close Petitioner's SNAP case effective September 1, 2024. See Initial Decision at 6; see also Exhibit R-1 at 1.

Following the closure of her SNAP case, Petitioner reapplied for SNAP benefits and authored a letter to the Agency on September 4, 2024. See Initial Decision at 6; see also Exhibit R-1 at 11. Within the letter, Petitioner claims she is unaware of B.L.'s living situation and that she, and her children, reside with her parents in Gloucester County. See Initial Decision at 7; see also Exhibit R-1 at 11. After the Agency received the letter, the investigator reopened his investigation and conducted surveillance at the Camden County address on two dates during September 2024. See Initial Decision at 7; see also Exhibit R-1 at 92-104. During the time of his surveillance, the Agency investigator photographed both Petitioner and B.L.'s vehicles outside the residence and photographed Petitioner coming and going from the residence. See Initial Decision at 7. Upon further investigation, the Agency investigator obtained records of Petitioner's EBT purchases and discovered that Petitioner had her SNAP purchases from May 23, May 29, June 3, June 6, June 25, July 17, July 27, August 8, August 17, September 1, September 8, September 18, and September 24, 2024, delivered to the Camden County address. Ibid.; see also Exhibit R-2.

Petitioner testified that she resides with her parents at their home with her children and that she uses the Gloucester County address for all her "legal papers" including her driver's license, tax returns, medical bills, insurance, and bank account. See Initial Decision at 8; see also Exhibit P-1 at 2-9, 12. The ALJ noted that some of the documentation provided is from several years ago, while some is current to 2024. See Initial Decision at 8. Petitioner further testified that her social media postings do not reflect her true relationship with B.L. Ibid. Petitioner denied residing at the Camden County address and claims that, if she and her children stay with B.L., that she sleeps on the couch while the children each have their own bedroom. See Initial Decision at 9. Petitioner further explained that she has food delivered to the address, purchased with her SNAP benefits, for use while she is there, that only she and her children consume the food, and that she takes home any food not consumed to her parents' home. Ibid.

Petitioner further testified that her postings to social media are "deceptive" and that she is "embarrassed" by her relationship with B.L. Id. at 10. The ALJ found issues with Petitioner's credibility as to inconsistencies of her testimony. Ibid. The ALJ concluded that Petitioner maintains her "legal" status at her parent's residence, but owns a home with B.L., who is employed, and does not have a custody or child support order in place. Ibid. The ALJ concluded that Petitioner asserting she is unaware of B.L.'s whereabouts is being used by Petitioner to ensure the Agency does not legally pursue child support from B.L. Ibid. The ALJ found that no custody order or child support orders weigh against Petitioner's claim that she is not residing with B.L., in their jointly owned home. Id. at 12. The ALJ further found that Petitioner's household status, during the time of her SNAP recertification, is that her food, paid for with her SNAP benefits, was delivered to B.L.'s address multiple times during May, June, July, August, and September 2024. Id. at 12-13; see also Exhibit R-2. The ALJ found that Petitioner knew B.L.'s location during the entire time period, and that the evidence presented supports she is not residing at her parent's residence with her children, but rather with B.L., in a different county. See Initial Decision at 13.

Based on the record presented, and applicable regulatory authority, it is clear that Petitioner resides with B.L., and that Petitioner purchases and prepare food as one household, with no evidence or testimony having been presented to refute same. Id. at 14; see also N.J.A.C. 10:87-2.2(a)(2). As such, the ALJ concluded that Petitioner does not maintain a separate household from B.L., and therefore, the Agency's September 1, 2024, termination of SNAP benefits to Petitioner was proper and must stand. Ibid. Following an independent review of the record, I agree.



No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED.

Officially approved final version. January 15, 2025

Natasha Johnson
Assistant Commissioner

