



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 **06995-25 K.M.**

AGENCY DKT. NO. **C158863001 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)**

Petitioner appeals from the Respondent Agency's denial of her application for Supplemental Nutritional Assistance Program ("SNAP") benefits. The Agency denied Petitioner's application for SNAP benefits, contending that Petitioner had failed to provide information and documentation necessary to determine eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. This matter was initially scheduled for June 25, 2025, at which time Petitioner phoned in late to the hearing, and was advised to disconnect and wait by the phone for a return call. See Initial Decision at 2. Following unsuccessful attempts to reach Petitioner on that date by telephone, the matter was adjourned until June 27, 2025. Ibid. On June 25, 2025, the matter was again adjourned to July 2, 2025, at which time the parties unsuccessfully conferenced the matter, and upon Petitioner's assertion she had not received the Agency's hearing packet, the matter was postponed to July 23, 2025. See Initial Decision at 3. On July 23, 2025, after commencing the hearing, the hearing was aborted and the matter was carried to July 31, 2025. Ibid. On July 31, 2025, the Agency requested a postponement, which was granted and a hearing scheduled for August 22, 2025. Ibid. On August 22, 2025 the Honorable Robert D. Herman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, admitted documents, and the record was closed. Following the hearing, the ALJ determined that Petitioner had failed to include a document, the closing letter from Pennsylvania (marked as P-2), which was at issue, and the ALJ contacted the parties to stipulate to the admissibility of the document. Ibid. The parties could not agree and as a result, the record was reopened on September 12, 2025. On September 12, 2025, the ALJ reopened the record, P-2 was admitted into evidence, and the record was again closed. See Initial Decision at 4. On September 25, 2025, the ALJ issued an Initial Decision, reversing 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 ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, REVERSE the Agency's determination, and REMAND the matter to the Agency, based on the discussion below.

Here, Petitioner applied for SNAP benefits in New Jersey on January 14, 2025. See Initial Decision at 4; see also Exhibit R-1 at 30-41. In the application, Petitioner specified that her last out-of-state SNAP benefit was received on January 6, 2025. See Initial Decision at 4; see also Exhibit R-1 at 32. On January 28, 2025, the Agency sent Petitioner a Request for Verification asking for various documentation by February 8, 2025. See Initial Decision at 4; see also Exhibit R-1 at 18. Subsequently, on February 13, 2025, the Agency sent Petitioner a Request for Contact informing her more information was needed, specifically, a closing letter from Pennsylvania reflecting that her out-of-state SNAP case was closed, and a letter from an individual, L.M., stating their relationship. See Initial Decision at 5; see also Exhibit R-1 at 19. On that same



date, February 13, 2025, the Agency denied Petitioner's application for SNAP benefits due to her not having provided all of the information necessary to process her application for benefits. See Initial Decision at 6; see also Exhibit R-1 at 1.

The ALJ found that, pursuant to regulatory authority, there cannot be a denial of an application for SNAP benefits for failure to provide information when the request for such information was made on the same date as the notice of denial, and when such information was never previously requested. See Initial Decision at 8; see also N.J.A.C. 10:87-2.27(c)(4) (requiring at least 10 days from the date of the Agency's initial request for the verification of missing information). In addition, the ALJ found that when a delay in the processing of an application occurs, the Agency is required by regulation to ascertain the cause of the delay. See Initial Decision at 8-9; see also N.J.A.C. 10:87-2.27(c). Further, the ALJ found that the notice of denial of benefits provided to Petitioner failed to include the language mandated by regulation. See Initial Decision at 10; see also R-1 at 1 and N.J.A.C. 10:87-2.27(e)(1). Based on the foregoing, the ALJ found that the Agency failed to provide sufficient time for Petitioner to obtain the requested documentation prior to the issuance of the denial of benefits, making such denial improper, and remanding the matter back to the Agency to determine if any retroactive benefits are due to Petitioner from February 1, 2025 (the first date of potential eligibility following termination of her benefits from Pennsylvania). See Initial Decision at 11; see also N.J.A.C. 10:87-2.27(c)(4), -2.27(d). As such, I agree with the ALJ that the Agency's termination of Petitioner's SNAP benefits in this matter was not adequate, and moreover, it also was not timely, as it is unmistakably less than 10 days advance notice, in contradiction to regulatory authority, and therefore must be reversed. See N.J.A.C. 10:87-2.27(c)(4), -2.27(d). While I agree, because mandatory verification regarding duplicative benefits is required, I am remanding this matter back to the Agency for action as follows. The Agency shall consider the documentation submitted in regards to Petitioner's out-of-state SNAP benefits case closure within 15 days of this Final Agency Decision and if submission of such documentation would have made Petitioner eligible for SNAP benefits from February 1, 2025.

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

Officially approved final version. November 06, 2025

Natasha Johnson
Assistant Commissioner

