



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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SARAH ADELMAN
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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 **01510-25 L.B.**

AGENCY DKT. NO. **C116907008 (GLOUCESTER COUNTY DIV. 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 between August, 2023 and July, 2024. The Agency asserts that Petitioner received SNAP benefits to which she was not entitled, thereby resulting in the overissuance of benefits which must be repaid. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. A telephone conference in this matter was conducted on February 22, 2025, by the Honorable Carl V. Buck III, Administrative Law Judge ("ALJ"), at which time Petitioner requested additional time to obtain counsel and thereafter, several hearing dates were adjourned at Petitioner's request. On May 7, 2025, the ALJ held the plenary hearing, took testimony, admitted documents into evidence, and the record was left open for additional submissions and then closed on May 29, 2025. On June 13, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were filed on behalf of Petitioner on June 23, 2025.

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, I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency actions, based on the discussion below.

In the instance of an overpayment of benefits, the Agency must recoup the overissuance. See N.J.A.C. 10:87-11.20. 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 up to six years following the time that the Agency becomes aware of the overpayment. See N.J.A.C. 10:87-11.20(f)(1)(i).

Here, Petitioner previously requested a fair hearing regarding the termination of her SNAP benefits, which resulted in an Initial Decision by the Honorable Tama Hughes, ALJ on September 25, 2024, and a Final Agency Decision on November 27, 2024, which affirmed the Agency's action to terminate her SNAP benefits. See Initial Decision at 2; see also Exhibit R-1 at 92-93. As a result, the Agency determined that SNAP benefits had been overissued in the amount of \$5,361 during the time frame from August, 2023 to July, 2024. See Initial Decision at 2; see also Exhibit R-1 at 3-14, 94. The ALJ in the present matter found that the Agency had met its burden in establishing, by a preponderance of the credible evidence, that Petitioner had received an overissuance of SNAP benefits to which she was not entitled, which must now be repaid. See Initial Decision at 3-5; see also N.J.A.C. 10:87-5.4(a)(1), -9.5, -11.20. I agree.

I ORDER and direct that the Agency proceed to recoup the overissuance.



By way of comment, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter. Furthermore, Petitioner is advised that any appeal from a Final Agency Decision issued by this office, as a result of a fair hearing, must be made directly to the Superior Court of New Jersey, Appellate Division, the contact information for which is contained in the cover letter accompanying the Final Agency Decision.

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

Officially approved final version. August 14, 2025

Natasha Johnson
Assistant Commissioner

