



## State of New Jersey

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*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 **14821-25 L.S.**

AGENCY DKT. NO. **C860559007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner appeals from the Respondent Agency's denial of her application for Work First New Jersey/General Assistance ("WFNJ/GA") benefits, and a reduction in her Supplemental Nutrition Assistance Program ("SNAP") benefits allotment. The Agency denied Petitioner's application for WFNJ/GA benefits contending that Petitioner's income exceeds the maximum permissible income level for receipt of WFNJ/GA. The Agency reduced Petitioner's SNAP benefits allotment due to her receipt of unearned income. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 25, 2025 the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On October 17, 2025, the ALJ issued an Initial Decision, affirming the Agency's determinations.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Financial eligibility for WFNJ/GA benefits is determined based upon the assistance unit's ("AU") countable income, both earned and unearned, as well as countable resources. See N.J.A.C. 10:90-3.1(a). If a WFNJ/GA assistance unit (hereinafter "AU") has income that is equal to or less than the maximum allowable income or benefit level, then initial financial eligibility exists. See N.J.A.C. 10:90-3.1(b), -3.5(a), -3.6(a). Effective July 1, 2019, the maximum allowable income level for an employable WFNJ/GA assistance unit that consists of one individual is \$278 per month. See N.J.A.C. 10:90-3.5(a); see also DFD Informational Transmittal ("IT") No. 19-21. The total countable income of an unemployable single adult, or couple without dependent children, must be equal to or less than the maximum benefit payment level for the size of the assistance unit as set out in Schedule V at N.J.A.C. 10:90-3.6(a). See N.J.A.C. 10:90-3.1(b)(1). Effective July 1, 2019, the maximum benefit level for an unemployable WFNJ/GA AU, consisting of one person, is \$277 per month. See N.J.A.C. 10:90-3.6(a); see also DFD IT No. 19-21.

Regulatory authority applicable to SNAP benefits 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. 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. In accordance with N.J.A.C. 10:87-6.16(d)(1), households which contain an elderly or permanently disabled



individual, as defined by N.J.A.C. 10:87-2.34, must meet the net income test for SNAP eligibility. N.J.A.C. 10:87-6.16(d)(2), states that households that do not contain an elderly or permanently disabled household member must meet both the gross income test, as well as the net income test, meaning that the respective income amounts must be below the established standards. See also N.J.A.C. 10:87-12.3, -12.4.

N.J.A.C. 10:87-6.16(b) further outlines the procedures used to calculate both gross and net income for SNAP benefits purposes, and the applicable benefit levels, if eligible. 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 for SNAP benefits purposes. 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 reflects that Petitioner applied for WFNJ/GA benefits, and indicated that she receives social security benefits in the form of Retirement, Survivors and Disability Insurance benefits ("RSDI") in the amount \$506 each month, as well as receiving monthly Supplemental Security Income ("SSI") benefits in the amount of \$512 per month. See Initial Decision at 2; see also Exhibit R-1. On August 13, 2025 Petitioner was sent a notice informing her that her WFNJ/GA application was denied due to her receipt of RSDI and SSI income, the combined total of which exceeded the maximum allowable benefit level for WFNJ/GA eligibility. Ibid. For an assistance unit of one, such as Petitioner, the maximum income an individual receives cannot exceed \$277. Ibid.; see also N.J.A.C. 10:90-3.5. The ALJ found that Petitioner's application indicated income exceeding the maximum allowable income amount of \$277 per month. See Initial Decision at 3-5; see also N.J.A.C. 10:90-3.5(b). Accordingly, the ALJ affirmed the Agency's denial of WFNJ/GA benefits, as Petitioner's monthly income exceeded the maximum allowable income amount for WFNJ/GA benefits eligibility. Ibid. I agree.

As to the reduction of SNAP benefits, Petitioner is a household of one person and the household's income is comprised of unearned income in the form of RSDI and SSI benefits. See Initial Decision at 2; see also Exhibit R-1. As Petitioner's household contains a permanently disabled person, only the net income standard must be met for continued SNAP eligibility. See N.J.A.C. 10:87-6.16(d)(1); see also N.J.A.C. 10:87-2.34(b)(2) (defining a disabled household member as one who receives Social Security disability benefits, including those under Title II, known as RSDI benefits). After factoring the monthly unearned income from RSDI and SSI benefits into the SNAP eligibility calculations, and after application of the standard deduction, at the time, for a household of one person of \$204, together with the inclusion of the Heating and Cooling Standard Utility Allowance ("HCSUA") of \$878, the household's net income, for SNAP eligibility purposes, was calculated to be \$343. See Exhibit R-1 and N.J.A.C. 10:87-6.16(b)(8). That amount is then multiplied by .3 and rounded up, or \$103. See N.J.A.C. 10:87-12.6(a)(1)(i)-(ii). That amount is then subtracted from the maximum benefit for a household of one, \$292- \$103, resulting in an allotment amount of \$189. See N.J.A.C. 10:87-12.6(a)(1)(iii); see also DFDI 24-10-04 at 12. The ALJ in this matter concluded that the Agency had properly calculated the net income for Petitioner's household, and reduced Petitioner's SNAP benefits, effective August 1, 2025, in accordance with the new calculation. See Initial Decision at 2-4; see also Exhibit R-1. Accordingly, the ALJ determined that the Agency's reduction of Petitioner's SNAP benefits in this matter was proper and must stand. See Initial Decision at 5. I agree, but modify the Initial Decision in this case to include the above analysis and findings.

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

Officially approved final version. November 25, 2025

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Natasha Johnson  
Assistant Commissioner

