



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
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 **00948-25 M.B.**

AGENCY DKT. NO. **C829513007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner challenges the correctness of the Respondent Agency's reduction of her Supplemental Nutrition Assistance Program ("SNAP") benefits. Petitioner's SNAP benefits were reduced because Petitioner's adult child was removed from the SNAP household, per Petitioner's request. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. The hearing was initially scheduled for May 1, 2025, but was adjourned at Petitioner's request. On May 13, 2025, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held the plenary hearing, took testimony, and admitted documents. On May 19, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

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 only 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 on January 14, 2025, the Agency notified Petitioner that her monthly SNAP benefit amount would be reduced to \$106, effective January 1, 2025. See Initial Decision at 2, 5; see also Exhibit R-2. Petitioner initially



applied for SNAP benefits, for a household of one, on September 7, 2023, at which time she was determined eligible based upon the amount of her monthly Retirement, Survivors, and Disability Insurance ("RSDI") benefits and all applicable deductions. See Initial Decision at 2; see also Exhibits R-1, R-2. In July 2024, Petitioner requested that her adult son be added to her SNAP case, which was done by the Agency, and resulted in an increase of the household's monthly benefit allotment to \$490, for a SNAP household of two persons. Ibid. Due to a cost-of-living increase, in October 2024, the household's SNAP benefit allotment increased to \$503. Ibid. In December 2024, Petitioner's adult son began to receive RSDI benefits, which was then included in the household's total income, resulting in the household income being above the allowable income amount for receipt of SNAP benefits. Ibid. Petitioner thereafter removed her adult son from her SNAP benefits case, and based upon her unearned income alone, and after applicable deductions, was found eligible to receive \$106 in SNAP benefits per month, effective January 2025. Ibid.; see also N.J.A.C. 10:87-6.16. Based upon the testimonial and documentary evidence provided, the ALJ concluded that the reduction in size of Petitioner's SNAP household resulted in the reduction of SNAP benefits in January 2025, and affirmed the Agency's reduction of Petitioner's monthly SNAP benefits. See Initial Decision at 5-6; see also Exhibit R-2. I agree.

No Exceptions to the Initial Decision were filed by either party.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the record in this matter and the ALJ's Initial Decision and I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter.

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

Officially approved final version. May 29, 2025

Natasha Johnson
Assistant Commissioner

