



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 **00905-25 M.G.**

AGENCY DKT. NO. **C112383004 (CAMDEN-CCBSS)**

Petitioner appeals from the Respondent Agency's termination of Supplemental Nutrition Assistance Program ("SNAP") benefits, at recertification. The Agency terminated Petitioner's SNAP benefits, contending that Petitioner failed to provide information necessary to determine continued eligibility for benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for March 20, 2025, but was adjourned at the request of Petitioner. On the rescheduled date of April 10, 2025, the Honorable Elaine B. Frick, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents into evidence. On April 16, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

Here, Petitioner was due to complete a recertification for SNAP benefits in October 2024. See Initial Decision at 2. On September 3, 2024, the Agency issued a notice to Petitioner that her benefits would cease at the end of October 2024 if she did not complete the recertification process, including participating in a telephone interview. *Ibid.*; see also Exhibit R-1, Ex. A. On the date of Petitioner's scheduled phone interview, September 12, 2024, she failed to answer, and did not phone to Agency to reschedule until October 9, 2025, when the phone interview was rescheduled for October 17, 2024. See Initial Decision at 3; see also Exhibit R-1, Ex. C. During the telephone interview, Petitioner informed the Agency that she had moved and was residing with her "ex" husband—although they remain legally married but have been separated for several decades. See Initial Decision at 3. Following the telephone interview, the Agency sent Petitioner a Request for Information which included a list of documentation required to be submitted by October 28, 2024, to recertify Petitioner's eligibility for SNAP benefits. *Ibid.*; see also Exhibit R-1, Ex. B. Specifically, the Request was made for a copy of a legal divorce decree, or, alternatively, information needed to add Petitioner's "ex" husband, M.G., to the SNAP case such as his full name, date of birth, social security number, monthly income, mortgage/rent information, and utility bills. See Initial Decision at 3-4; see also Exhibit R-1, Ex. B and N.J.A.C. 10:87-2.2. Petitioner did not submit the requested information, contending that M.G. refused to give her his information, and that their relationship is not friendly. See Initial Decision at 4. Petitioner phoned the Agency on December 4, 2024, to inquire about her SNAP benefits, and was informed she had failed to submit requested documentation for her recertification and that she would have to reapply for benefits. *Ibid.* The Agency acknowledged that it failed to send a timely denial to Petitioner regarding her recertification application. See Initial Decision at 5. On or about March 19, 2025, the day prior to the original scheduled fair hearing date, Petitioner was able to have M.G. cooperate in providing verifying documentation, which she submitted to the Agency. *Ibid.* On March 20, 2025, the Agency issued a denial notice, informing Petitioner she was ineligible for benefits effective November 1, 2024. See Initial Decision at 5-6; see also Exhibit R-3. Concurrently, the Agency's fair hearing liaison reevaluated Petitioner's SNAP recertification application using the verifications provided by Petitioner on March 19, 2025, and determined that, including M.G.'s income, as well as Petitioner's unearned income, the household would exceed the maximum allowable income for SNAP benefits eligibility. See Initial Decision at 6; see also Exhibit R-2, Ex. A, B, C, and Exhibit R-4.



The ALJ found that the Agency erred in failing to issue an adverse action notice in a timely manner indicating that Petitioner was ineligible for SNAP benefits at recertification due to her failure to provide requested verifications. See Initial Decision at 10. The ALJ acknowledged that, despite the error in notification of denial, which should have been immediately corrected, that the Agency did not receive any verifications from Petitioner until March 19, 2025, which resulted in an immediate denial from the Agency being issued. See Initial Decision at 11. The Agency did properly reevaluate the recertification application using the verifications provided, under its obligation to continue processing the application, and on April 2, 2025, properly denied Petitioner due to her household income exceeding the maximum allowable income amount for a household of two persons. Ibid.; see also Exhibits R-2, Ex. A, R-4. Accordingly, the ALJ affirmed the Agency's action terminating Petitioner's SNAP benefits, effective November 1, 2024, for failure to provide required verifications at recertification. See Initial Decision at 11-12. I agree.

No Exceptions to the Initial Decision were filed.

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.

By way of comment, Petitioner is without prejudice to reapply for SNAP benefits should her circumstances change, but is advised that she must provide all documentation necessary to determine eligibility.

By way of further comment, I note that the record reflects that no shelter expenses (rental or mortgage) were included in the SNAP benefits calculations. See Exhibit R-2, Ex. A. Should Petitioner's household have such expenses, proof of same should be submitted to the Agency so that they may be factored into the eligibility calculations.

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

Officially approved final version. May 22, 2025

Natasha Johnson
Assistant Commissioner

