



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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SARAH ADELMAN
Commissioner

TAHESHA L. WAY
Lt. Governor

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 07090-25 N.H.

AGENCY DKT. NO. C109861015 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner Agency charges Respondents, N.H. and L.H. (docketed separately under Office of Administrative Law ("OAL") Docket Nos. HPW 07090-25 (N.H.) and OAL Docket No. HPW 07091-25 (L.H.), respectively), with committing an intentional program violation ("IPV"), as defined by N.J.A.C. 10:87-11.3 and 7 C.F.R. 273.16(c), of the Supplemental Nutrition Assistance Program ("SNAP"). The Agency asserts that Respondents intentionally failed to accurately report receipt of earned income while they received SNAP benefits, thus causing Respondents to receive an overissuance of benefits to which they were not entitled. Respondents were sent notice of the Administrative Disqualification Hearing, the charges against them, and the proposed disqualification penalty. See Exhibit P-1; see also N.J.A.C. 10:87-11.5(a)(3)(i) and 7 C.F.R. 273.16(e)(3)(i). As no return receipt was received for the Certified Mail, the Agency investigator contacted Respondents' legal counsel via telephone on April 8, 2025, to confirm receipt. Ibid. Because Respondents failed to execute and return the waiver of their right to a hearing, the matter was transmitted to the Office of Administrative Law for a hearing as a contested case. On May 30, 2025, at the commencement of the hearing, the Honorable Dean J. Buono, Administrative Law Judge ("ALJ"), consolidated Respondents' separate matters. See N.J.A.C. 1:1-17.3(a). On that date, the ALJ held an administrative disqualification hearing, took testimony, admitted documents, and the record closed. Neither Respondents, nor their legal counsel, appeared for the hearing, and the matter proceeded ex parte, which is permissible pursuant to regulation. See N.J.A.C. 1:10-14.1(d), N.J.A.C. 10:87-11.5(a)(4)(i), and 7 C.F.R. 273.16(e)(4). Respondents were given ten days following the hearing, to present good cause for their failure to appear. Ibid. They did not respond.

On June 13, 2025, the ALJ issued an Initial Decision, which found that the Agency had met its burden in establishing, by clear and convincing evidence, that Respondents had deliberately and intentionally withheld information from the Agency, which resulted in Respondents receiving an overissuance of SNAP benefits, to which they were not entitled. See Initial Decision at 3-5; see also Exhibits P-2, P-3, P-4, P-5, P-6, P-7, P-8, P-9, P-10, P-11, P-12, P-13 and N.J.A.C. 10:87-11.3(a), -11.5(a)(6), 7 C.F.R. 273.16(c)(1) and 7 C.F.R. 273.16(e)(4). IPV's occur where the person intentionally "made a false or misleading statement, or misrepresented, concealed or withheld facts." See N.J.A.C. 10:87-11.3 and 7 C.F.R. 273.16(c). The ALJ found that Respondents intentionally failed to accurately report their employment, as well as multiple sources of earned income, at the time of their SNAP applications, and thereafter on various Interim Reporting Forms ("IRFs") which would have made their household ineligible to receive SNAP benefits. See Initial Decision at 3-5; see also Exhibits P-2, P-3, P-4, P-5, P-6, P-7, P-8, P-9, P-10, P-11, P-12, and N.J.A.C. 10:87-5.2(a)(1), -9.5(a)(3). Such misrepresentations of earned income received resulted in an overissuance of SNAP benefits to Respondents in the amount of \$21,334 for the period of April, 2020 through December, 2020 and January, 2023 through May, 2024. See Initial Decision at 3-5; see also Exhibits P-2, P-3, P-4, P-5, P-6, P-7, P-8, P-9, P-10, P-11, P-12, P-13.



As this was the first IPV committed by Respondents, the ALJ ordered the mandatory regulatory penalty of a 12-month disqualification from receipt of SNAP benefits, pursuant to N.J.A.C. 10:87-11.2(a)(1). See Initial Decision at 5; see also 7 C.F.R. 273.16(b)(1)(i).

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the Initial Decision in this matter, and following an independent evaluation of the record, I concur with the ALJ's decision, and hereby adopt the Findings of Fact and Conclusion of Law in this matter. See 7 C.F.R. 273.16(e)(6).

I direct that the Agency proceed to recoup the overissuance pursuant to N.J.A.C. 10:87-11.20 and 7 C.F.R. 273.18.

Accordingly, based upon the foregoing, I hereby ADOPT the Initial Decision in this matter, and ORDER that Respondents are disqualified from receipt of SNAP benefits for a period of 12 months. I further ORDER that the Agency is to recoup the overissuance.

Officially approved final version. August 13, 2025

Natasha Johnson
Assistant Commissioner

