



## State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716

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 17206-24 O.J.

AGENCY DKT. NO. C134961006 (CUMBERLAND COUNTY BD OF SOC SVCS.)

Petitioner challenges the Respondent Agency's calculation of her monthly Supplemental Nutrition Assistance Program ("SNAP") benefits, which resulted in a reduction of her benefits amount. Petitioner's SNAP benefits allotment was reduced as a result of an increase in household income. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 29, 2025 the Honorable William T. Cooper III, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence. On February 12, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

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, the ALJ's Initial Decision is hereby ADOPTED and the Agency determination is AFFIRMED, based on the discussion below.

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. Further, N.J.A.C. 10:87-5.5(a)(2) specifically includes "unemployment compensation" as unearned income which to be included when determining a household's SNAP eligibility.

In order to determine an applicant's eligibility for SNAP, the applicant's income and resources must be below a certain threshold. 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, a SNAP benefits recipient, began receiving Unemployment Insurance Benefits ("UIB"), which caused her household income to increase. See Initial Decision at 2; see also Exhibit R-1 at 6, 7, 9, 10, and N.J.A.C. 10:87-5.5(a)(2). Thereafter, as a result of that increased income, Petitioner's monthly SNAP benefits were reduced to \$209, effective December 1, 2024. See Initial Decision at 2; see also Exhibit R-1 at 2, 6, 7, 9. The ALJ found that Petitioner's increased household income, comprised of her monthly UIB benefits, was used to calculate her monthly SNAP benefit amount, effective December 1, 2024. See Initial Decision at 3; see also Exhibit R-1 at 2, 6, 7, 9, 10, and N.J.A.C. 10:87-5.3, -6.16. Based on the record presented, the ALJ affirmed the Agency's calculation of Petitioner's monthly income, and concluded that the reduction of Petitioner's SNAP benefit amount, as a result of the increase in the household's income, was correct and must stand. See Initial Decision at 3; see also Exhibit R-1 at 2, 6, 7, 9, 10, and N.J.A.C. 10:87-6.16. I agree.

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

Officially approved final version. March 04, 2025

---

Natasha Johnson  
Assistant Commissioner

