



## State of New Jersey

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*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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*Commissioner*

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*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 **14148-25 R.D.**

AGENCY DKT. NO. **C050448019 (SUSSEX COUNTY DIVISION OF SOC. SVCS.)**

Petitioner Agency charges Respondent 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"), and seeks to impose a 10-year disqualification period from receipt of SNAP benefits against Respondent. The Agency asserts that Respondent received SNAP benefits from another state, while simultaneously receiving SNAP benefits from the State of New Jersey, thus causing Respondent to receive an overissuance of benefits to which he was not entitled. Respondent was properly noticed of the Administrative Disqualification Hearing, the charges against him, and the proposed disqualification penalty, via USPS Certified Mail Return Receipt Requested, on June 30, 2025. See Exhibit R-1; see also N.J.A.C. 10:87-11.5(a)(3)(i) and 7 C.F.R. 273.16(e)(3)(i). Because Respondent failed to execute and return the waiver of his right to a hearing, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing as a contested case. On September 16, 2025 the Honorable Leslie Z. Celentano, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents, and the record then closed. Respondent did not appear 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). Respondent was given ten days following the hearing, to present good cause for his failure to appear. See 7 C.F.R. 273.16(e)(4). Respondent did not respond. On September 30, 2025 the ALJ issued an Initial Decision, finding that an IPV had been established, and imposing the 10-year disqualification penalty sought by the Agency.

In accordance with applicable regulatory authority, a SNAP benefits household must reside in the county and State in which it files for benefits, and may not collect SNAP benefits from more than one location simultaneously. See N.J.A.C. 10:87-3.2(a); see also 7 C.F.R. 273.3. Additionally, SNAP benefits households are required to report certain changes within 10 days which can affect eligibility and/or allotment amount, including a change in residence. See N.J.A.C. 10:87-9.5(a)(2), (b)(1)(iv); see also 7 C.F.R. 273.12.

IPVs occur when SNAP benefits are issued as the result of an intentionally false or misleading statement, misrepresentation, concealment or withholding of facts, or when SNAP benefits are improperly used, presented, transferred, acquired, possessed, received or trafficked. See N.J.A.C. 10:87-11.3(a)(1), (2); see also 7 C.F.R. 273.16. An individual found to have made a fraudulent statement or representation with respect to the identity or place of residence of the individual in order to receive multiple SNAP benefits simultaneously shall be ineligible to participate in the program for a period of 10 years. See N.J.A.C. 10:87-11.2(e); see also 7 C.F.R. 273.16(b)(5).

Here, the ALJ found that the Agency had met its burden in establishing, by clear and convincing evidence, that Respondent had deliberately and intentionally misrepresented information to the Agency, which resulted in Respondent



receiving an overissuance of SNAP benefits, to which he was not entitled. See Initial Decision at 2-5. Specifically, the ALJ found that Respondent intentionally did not disclose to Petitioner Agency that he had received SNAP benefits from the State of New York, while also simultaneously collecting SNAP benefits from the State of New Jersey, during the period of February, 2022 through January, 2023 which resulted in an overissuance of SNAP benefits to Respondent in the amount of \$973. Id. at 2; see also Exhibit R-1; and N.J.A.C. 10:87-3.2, -3.3, -11.3(a), -11.5(a)(6), and 7 C.F.R. 273.16(c)(1), 7 C.F.R. 273.16(e)(6). I agree.

In this matter, a recoupment was begun by the Agency on December 1, 2024, such that, of the original overpayment amount of \$973, there is a remaining balance of \$490 which remains due and owing. See Initial Decision at 2-3; see also Exhibit R-1; and N.J.A.C. 10:87-3.2, -3.3, -11.3(a), -11.5(a)(6), and 7 C.F.R. 273.16(c)(1), 7 C.F.R. 273.16(e)(6).

Additionally, because Respondent was found to have made a fraudulent statement or representation regarding his place of residence in order to receive SNAP benefits from two states at the same time, the ALJ concluded that Petitioner is ineligible to participate in the SNAP program for ten (10) years pursuant to N.J.A.C. 10:87-11.2(e). See Initial Decision at 5; see also N.J.A.C. 10:87-3.18, 7 C.F.R. 273.16(b)(5). I also agree.

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 continue 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 Respondent is disqualified from receipt of SNAP benefits for a period of 10 years. I further ORDER and direct the Agency continue to recoup the overissuance pursuant to N.J.A.C. 10:87-11.20 and 7 C.F.R. 273.18.

Officially approved final version. November 26, 2025

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Natasha Johnson  
Assistant Commissioner

