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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 08022-25 R.J.

AGENCY DKT. NO. C172599003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's termination of her Supplemental Nutritional Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's SNAP benefits, contending that she failed to provide verifications as requested and required to determine her eligibility for continued SNAP benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On July 23, 2025, the Honorable Michael R. Stanzone, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On August 5, 2025, the ALJ issued an Initial Decision, reversing 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 reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, AFFIRM the Agency's determination, based on the discussion below.

In order to determine eligibility for SNAP benefits, mandatory verification of certain information is required, such as household income, both earned and unearned. See N.J.A.C. 10:87-2.19, -2.20. Without said verification of required information, SNAP eligibility cannot be determined or granted. Ibid.

Households determined eligible for SNAP benefits are certified for said benefits for a definite period of time. See N.J.A.C. 10:87-6.20. County Social Service Agencies ("CSSAs") assign the longest certification periods possible based upon the predictability of the household's circumstances. Ibid. N.J.A.C. 10:87-9.5(a) states, in pertinent part, "Simplified reporting cases consist of earned income and unearned income households. The certification period is for 12 months with a six-month interim contact." An Interim Reporting Form ("IRF") is sent to the household at the six-month interim contact point for a household with a 12-month certification period. See N.J.A.C. 10:87-9.5(a)(3). The CSSA shall mail the IRF to the SNAP benefits recipient in the fifth month, and if the IRF is not received timely, the case shall go into suspension for a month. See 10:87-9.5(a)(3)(i). If no contact is made or the verification is not received in during the suspension month, the case will close. Ibid. An IRF must be completed in all cases. Ibid. If the recipient's case closes, a new application must be filed by the household in order to receive SNAP benefits. Ibid.

Here, an independent review of the record reveals that, on or about May 1, 2024, the Agency sent Petitioner an IRF. See Initial Decision at 2; see also Exhibit R-A at 4-6. On June 28, 2024, the Agency received the completed IRF, for a household of two, including Petitioner and her household member, D.R. Ibid. Following receipt of the IRF, the Agency discovered, through the use of a wage verification database, that D.R. had earnings for the first and second quarter of 2024 which had not been included in the IRF. See Exhibit R-A at 7. On July 5, 2024, the Agency sent Petitioner a Request



for Contact, requesting documentation of one month of recent gross earnings which was to be provided to the Agency within 10 days of the notice. Id at 8. There is no indication in the record presented that Petitioner provided the requested information within the required 10-day period, or even at a later date. On January 27, 2025, the Agency sent a notice terminating Petitioner's SNAP benefits, effective March 1, 2025. See Exhibit R-A at 9. On February 17, 2025, Petitioner submitted a form to the Agency citing a change in household composition removing D.R. from her household. Ibid.

The ALJ in this matter concluded that the termination of Petitioner's SNAP benefits should be reversed, and the matter remanded for the Agency to reevaluate Petitioner's eligibility based on the change in household composition reported on February 17, 2025. See Initial Decision at 3. I respectfully disagree, as, despite the protracted delay by the Agency in properly terminating Petitioner's SNAP benefits, it is nonetheless clear from the record that Petitioner did not provide the requested income information within 10 days of July 5, 2024, as requested. As such, I find that the Agency's termination of Petitioner's SNAP benefits was proper and must be affirmed. The Initial Decision is modified to reflect these findings.

Petitioner may reapply for SNAP benefits if she has not already done so.

Accordingly, the Initial Decision is hereby MODIFIED, the Agency's determination is hereby AFFIRMED, as outlined above.

Officially approved final version. August 27, 2025

Natasha Johnson
Assistant Commissioner

