



## State of New Jersey

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*Governor*

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DIVISION OF FAMILY DEVELOPMENT  
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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 13345-25 S.C.

AGENCY DKT. NO. **S972575009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") benefits, at recertification. The Agency denied Petitioner's application for SNAP benefits, at recertification, contending that Petitioner failed to provide the Agency with required income verification in a timely manner. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 22, 2025 the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On October 15, 2025, the ALJ issued an Initial Decision, reversing the Agency's determination.

Exceptions to the Initial Decision were received from the Agency on October 17, 2025.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, REVERSE the Agency's determination, and REMAND the matter to the Agency for action, based on the discussion below.

Here, the record reveals that Petitioner is self-employed and testified that she had submitted all requested information to the Agency, and more specifically that she had submitted her 2024 1040 U.S. Individual Income Tax Return, which testimony the ALJ found to be credible. See Initial Decision at 2, 4; see also Exhibit P-1. At the time of the hearing, the Agency representative testified that a Request for Information was sent to Petitioner, however, the document alleged to have been sent was not entered into evidence, nor is it a part of the record, and thus the ALJ found that the Agency failed to support its position via documentary evidence. See Initial Decision at 4.

Based upon the credible testimonial and documentary evidence presented, the ALJ found that Petitioner had submitted the documentation requested to the Agency. See Initial Decision at 4; see also Exhibit P-1. Accordingly, the ALJ reversed the Agency's denial. Ibid. I note that in order to reject the ALJ's finding of fact as to the issue of Petitioner's credibility, the credibility finding would have to be arbitrary, capricious or unreasonable, or not supported by sufficient, competent and credible evidence in the record. N.J.S.A. 52:14B-10(c); N.J.A.C. 1:1-18.6(c). I do not find that to be the case in this instance.

As I agree with the ALJ's ultimate conclusion, I am therefore am remanding this matter back to the Agency. The Agency shall expedite the substantive evaluation of the documentary evidence submitted into the record in this matter. See Exhibit P-1. Based on that evaluation, if Petitioner is determined to be eligible for SNAP benefits, Petitioner is to then be provided with retroactive SNAP benefits. See N.J.A.C. 10:87-8.18. Should the substantive evaluation result in another denial of SNAP benefits, Petitioner may request another fair hearing on that substantive denial. The Initial Decision is modified to reflect these findings.



By way of comment, the Agency is reminded of its responsibilities in representation and presentation of a matter at a plenary hearing before an ALJ, pursuant to N.J.A.C. 10:90-9.12(b) which states, "[t]he county or municipal representative must have knowledge of the matter at issue and must be able to present the agency case, supplying the ALJ with that information needed to substantiate the agency action."

By way of further comment, I have reviewed the Agency's Exceptions, and find that the arguments made therein do not alter my decision in this matter as to whether or not Petitioner submitted the requested documentation. However, I note that if the documentation in the record is insufficient to perform an income calculation that, upon remand, the Agency shall inform Petitioner of same and request documentation required to perform such calculation.

Accordingly, the Initial Decision is hereby MODIFIED, the Agency's determination is REVERSED and the matter is REMANDED to the Agency for action, as outlined above.

Officially approved final version. November 19, 2025

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Natasha Johnson  
Assistant Commissioner

