



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
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 **14621-24 S.M.**

AGENCY DKT. NO. **C104619015 (OCEAN COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of her Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's SNAP benefits, contending that Petitioner failed to include a member in the household, and that with that person's income, the household exceeded the maximum allowable amount for continued receipt of SNAP benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 7, 2025, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ,") held a telephonic plenary hearing, took testimony, admitted documents into evidence, and the record then closed.

On January 23, 2025, the ALJ issued an Initial Decision, reversing the Agency's termination of Petitioner's SNAP benefits. The ALJ in this matter issued a thorough and comprehensive Initial Decision, providing a detailed factual timeline, outlining the applicable law, and then applying law to fact. See Initial Decision at 2-11. Here, the record reflects that Petitioner was receiving SNAP benefits and was advised, during September 2024, that she must add her boyfriend to her SNAP case and provide his current paystubs, as well as a letter from her mother stating the amount of rent and utilities that she and her boyfriend monthly contribute. See Initial Decision at 2; see also Exhibit R-1. Following the submission of the paystubs, the Agency determined that Petitioner's boyfriend was a member of her household for purposes of SNAP benefits and that, when combining his income with Petitioner, the household's combined income exceeded the maximum allowable for SNAP benefits. See Initial Decision at 2-3; see also Exhibits R-3, R-4. The Agency therefore terminated Petitioner's SNAP benefits effective November 1, 2024. See Initial Decision at 3; see also Exhibit R-2. The ALJ found that Petitioner and her boyfriend do reside together and share the costs of living, however, they are not married, they do not share the cost of food or purchase food together, they do not share a joint deed, mortgage or lease, they do not share a joint bank account, they are not named as a beneficiary in each other's will, life insurance, or retirement plan, do not jointly own a vehicle, and are not jointly responsible for each other's basic living expenses. See Initial Decision at 6. The ALJ further found persuasive that Petitioner has not jointly filed an affidavit of domestic partnership. Ibid. Accordingly, based upon the evidence presented, the ALJ concluded that, in accordance with applicable regulatory authority, Petitioner does maintain a separate household from her boyfriend for SNAP eligibility purposes, and therefore, her boyfriend's income is not to be included when calculating Petitioner's household income for purposes of SNAP eligibility or continued benefits. See Initial Decision at 6-11; see also N.J.A.C. 10:87-2.2 and N.J.A.C. 10:87-2.3(a)(1)(iii). Based on an independent review of the record, I agree, and direct that the Agency provide Petitioner with retroactive SNAP benefits, to the date of the termination in this matter, as applicable. See N.J.A.C. 10:87-8.18.

No Exceptions to the Initial Decision were filed.



As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the record for this matter and the ALJ's Initial Decision. Following an independent evaluation of the record, I concur with the ALJ's decision in this matter, and I hereby ADOPT the Findings of Fact and Conclusions of Law as contained in the Initial Decision.

Accordingly, the Initial Decision in this matter is ADOPTED, and the Agency's determination is hereby REVERSED.

Officially approved final version. March 04, 2025

Natasha Johnson
Assistant Commissioner

