



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **08960-24 S.R.**

AGENCY DKT. NO. **C058952002 (BERGEN COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Supplemental Nutrition Assistance Program ("SNAP") benefits, at recertification. The Agency terminated Petitioner's SNAP benefits at recertification, as it contended that Petitioner failed to provide accurate information regarding household composition, which was necessary to determine continued SNAP eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 5, 2024, the Honorable Kelly J. Kirk, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence. On December 13, 2024, 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, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I hereby ADOPT the Initial Decision and AFFIRM the Agency's determination.

Here, the record reflects that Petitioner submitted her SNAP recertification application on March 15, 2024, ahead of her May 2024 recertification date. See Initial Decision at 2. Petitioner's adult son, T.A., who resides with Petitioner, was reported as maintaining a separate household, however, when Petitioner completed the Living Arrangement Form, she certified that she provides "food/shelter" to T.A., but that they purchase and prepare meals separately. Ibid.; see also Exhibit R-1. On April 9, 2024, the Agency terminated Petitioner's SNAP benefits. See Initial Decision at 2. The Agency contended that Petitioner does not maintain a separate household from her adult son, T.A., and as such, he, and his income, would need to be included when determining continued eligibility for SNAP benefits. See Initial Decision at 4. Although Petitioner testified that she incorrectly completed the Living Arrangement Form, the ALJ found that T.A. resides with Petitioner and does not pay rent or utilities and that he is provided with food and shelter. Ibid. Based on the foregoing, the ALJ found that Petitioner failed to prove that T.A. is a separate household and the recertification application, and Living Arrangement Form, led to a proper termination by the Agency. Ibid.; see also N.J.A.C. 10:87-2.2. I agree.

By way of comment, Petitioner is without prejudice to reapply for SNAP benefits, but must timely provide all information and documentation requested in order to determine her household composition for program eligibility.

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



Officially approved final version.

January 17, 2025

Natasha Johnson

Assistant Commissioner

