



## 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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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 **01159-25 M.S.**

AGENCY DKT. NO. **C165208020 (UNION 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"). The Agency asserts that Respondent intentionally misrepresented her household composition and income while she received SNAP benefits, thus causing Respondent to receive an overissuance of benefits to which she was not entitled. Respondent was properly noticed of the Administrative Disqualification Hearing, the charges against her, and the proposed disqualification penalty, via personal service, on January 7, 2025. See Exhibit P-7; 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 her right to a hearing, the matter was transmitted to the Office of Administrative Law for a hearing as a contested case. On January 21, 2025, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, admitted documents, and the record was held open until February 3, 2025, at which time the record was closed.

On February 21, 2025, the ALJ issued an Initial Decision, which found that the Agency had met its burden in establishing, by clear and convincing evidence, that Respondent had deliberately and intentionally withheld information from the Agency, which resulted in Respondent receiving an overissuance of SNAP benefits, to which she was not entitled. See Initial Decision at 6; see also N.J.A.C. 10:87-11.3(a), -11.5(a)(6), 7 C.F.R. 273.16(c)(1), and 7 C.F.R. 273.16(e)(4). The ALJ found that Respondent had deliberately and intentionally withheld information from the Agency, by failing to accurately report her household composition and income on numerous occasions over several years, which resulted in Respondent receiving an overissuance of SNAP benefits, to which she was not entitled. See Initial Decision at 5-6; see also Exhibits P-1, P-2, P-3, P-4, P-5, P-6, P-8, and P-9, and N.J.A.C. 10:87-5.2(a)(1), -9.5(a)(3), -11.5(a)(6) and 7 C.F.R. 273.16(c)(1). Specifically, Respondent failed to report that the father of two of her children had resided with her for several years, from 2018 through 2023. Ibid. Further, Respondent had affirmed that she received no support from her children's fathers, which was directly contradicted with information submitted to the Agency that Respondent was in receipt of child support exceeding \$800 per month, as well as additional financial support to pay her rent. See Initial Decision at 2-3; see also Exhibits P-1, P-3. Accordingly, the ALJ found no credible evidence that Respondent and the father of two of her children maintained separate households from 2018 to the present date and that Respondent received SNAP benefits based upon the alleged household composition of herself and three minor children as well as income which did not include the receipt of child support or additional financial resources for housing. See Initial Decision at 5. As such, the ALJ found that Respondent committed a SNAP IPV by concealing and withholding information regarding her household size, composition, and income. See Initial Decision at 6. I agree.

IPVs occur where the person intentionally "made a false or misleading statement, or misrepresented, concealed or withheld facts." See N.J.A.C. 10:87-11.3 and 7 C.F.R. 273.16(c).



As this was the first IPV committed by Respondent, the ALJ ordered the mandatory regulatory penalty of a 12-month disqualification from receipt of SNAP benefits, pursuant to N.J.A.C. 10:87-11.2(a)(1). See Initial Decision at 6; see also 7 C.F.R. 273.16(b)(1)(i).

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 proceed 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 12 months. I further ORDER that the Agency is recoup the overissuance.

Officially approved final version. March 06, 2025

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Natasha Johnson  
Assistant Commissioner

