



State of New Jersey

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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 **00352-26 A.C.**

AGENCY DKT. NO. **C843738007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner appeals from the Respondent Agency's termination of Supplemental Nutritional Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's SNAP benefits contending that Petitioner's countable household income exceeded the maximum permissible level for receipt of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 3, 2026, and continuing on February 24, 2026, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. Petitioner failed to appear for the hearing on February 24, 2026. On February 25, 2026, the record in the matter was closed. On March 18, 2026, 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 ("DFD"), 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, based on the discussion below.

Regulatory authority applicable to SNAP benefit cases, defines income as "all income from whatever source unless such income is specifically excluded." See N.J.A.C. 10:87-5.3. "Earned income" is defined, in pertinent part, as "[a]ll wages and salaries received as compensation for services performed as an employee[.]" See N.J.A.C. 10:87-5.4(a)(1). In order to determine an applicant's eligibility for SNAP, the applicant's income and resources must be below a certain threshold. N.J.A.C. 10:87-6.16(d)(2), states that households that do not contain an elderly or permanently disabled household member must meet both the gross income test, as well as the net income test, meaning that the respective income amounts must be below the established standards. See also N.J.A.C. 10:87-12.3, -12.4.

Gross income is determined by adding together the household's monthly earned and unearned income, minus any earned income exclusions. See N.J.A.C. 10:87-6.16(b), (b)(1). That total gross income amount is then utilized to determine a household's SNAP eligibility in accordance with N.J.A.C. 10:87-6.16(d)(1) and (2). The maximum allowable gross income level for a household of one person for SNAP benefits eligibility, at the time of Petitioner's application, was \$2,413. See DFD Instruction ("DFDI") 25-09-02 at 14.

Here, the record reveals that the Agency issued a Notice of Expiration to Petitioner on September 2 2025, indicating that her SNAP benefits would expire at the end of October, 2025, and that she would need to complete a SNAP recertification application and interview. See Initial Decision at 2; see also Exhibit R-1. On September 26, 2025, the Agency sent



Petitioner a Request for Verification indicating that she must submit copies of her most recent paystubs, verification of work study enrollment, rent/mortgage receipt, and utility bill. Ibid.; see also N.J.A.C. 10:87-5.11.

On November 25, 2025, the Agency reviewed the documentation that Petitioner had submitted including her work study verification and paystubs from October 3, 2025, and October 17, 2025. See Initial Decision at 3; see also Exhibit R-1. Based upon the two paystubs, the Agency determined that Petitioner's gross income, for October, 2025, was \$3,359, which exceed the maximum allowable gross income for a household of one person. See Initial Decision at 3; see also Exhibit R-1. Thereafter, the Agency terminated Petitioner's SNAP benefits, effective November 1, 2025. Ibid.

At the hearing, Petitioner testified that she is a law student and enrolled in a work study program which provides a semester stipend (from September, 2025 to February, 2026), which is paid to her in two payments during the semester and that those two payments are her entire income for the semester. See Initial Decision at 3-4; see also Exhibit P-1.

The ALJ here found that the Agency treated Petitioner's earnings from work-study as income, pursuant to N.J.A.C. 10:87-5.4(a)(7), and relied upon regulatory language in N.J.A.C. 10:87-5.11, regarding the treatment of educational assistance. See Initial Decision at 6-8. As such, taking into consideration the paystubs provided, the Agency calculated Petitioner's gross income to exceed the maximum allowable income for a household of one. See Initial Decision at 8. The Petitioner argued that her earnings from work-study should be excluded as income for purposes of determining continued SNAP eligibility, however, the ALJ did not find such arguments persuasive, finding that Petitioner did not provide any proof that payments received from her work-study program were used for tuition or a qualified expense, and thus, that the Agency properly treated the payments as income. Ibid. Based on the foregoing, the ALJ concluded that the Agency's termination of SNAP benefits to Petitioner was proper and must stand. See Initial Decision at 9. I agree, and further note that a review of the paystubs provided in this matter indicate that payments made to Petitioner are bi-weekly payments (in fact noting a "Pay Rate: \$820.00 Biweekly"), not that either was a one-time stipend payment. See Exhibit R-1.

By way of comment, Petitioner is without prejudice to reapply for SNAP benefits, should her circumstances change.

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

Officially approved final version. April 17, 2026

Natasha Johnson
Assistant Commissioner

