



## State of New Jersey

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*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 **20278-25 A.R.**

AGENCY DKT. NO. **C124365008 (GLOUCESTER COUNTY DIV. 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, contending that Petitioner's certification period for benefits had ended and the subsequent submission of documentation must be treated as a new application for SNAP benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 24, 2026, the Honorable Carl V. Buck III, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents into evidence. The record was then held open to allow for the submission of additional documentation and closed on April 13, 2026. On April 27, 2026, the ALJ issued an Initial Decision, reversing the Agency's determination.

Exceptions to the Initial Decision were received from the Agency on May 5, 2026.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby **REJECT** the ALJ's Initial Decision, and **AFFIRM** the Agency's determination, based on the discussion below.

Regulatory authority applicable to a SNAP household recertification for SNAP benefits states that "[n]o household may participate beyond the expiration of the certification period ... without a determination of eligibility for a new period. Households shall apply for recertification and shall comply with interview and verification requirements." See N.J.A.C. 10:87-9.1(a).

Further, N.J.A.C. 10:87-9.1(h) states, "Information provided by the household shall be verified in accordance with N.J.A.C. 10:87-2.19 and 2.20. The CSSA shall provide the household a notice of required verification as provided at N.J.A.C. 10:87- 2.22(d)3, and notify the household of the date by which the verification requirements must be satisfied. The household must be allowed a minimum of 10 calendar days to provide required verification information." (emphasis added).

Finally, N.J.A.C. 10:87-9.2(c)(5) states, in pertinent part, "A household which submits an application by the filing deadline but neither appears for an interview scheduled after the application has been filed, nor submits verification within the required time frame, shall lose its right to uninterrupted benefits. The CSSA shall deny the household's recertification application at the end of the last month of the current certification period." (emphasis added).

Here, the record indicates that Petitioner was due to recertify for SNAP benefits, as her certification period was ending, and that the Agency sent her a Notice of Expiration on August 1, 2025, indicating that her SNAP benefits would expire at



the end of September, 2025, and that she was required to complete her application for recertification by September 15, 2025. See Initial Decision at 2; see also Exhibit R-1. As such, on August 13, 2025, an Agency representative conducted a recertification interview with Petitioner, by telephone, and following such interview sent Petitioner a Request for Verification form indicating that Petitioner would need to submit certain documentation to the Agency. See Initial Decision at 4; see also Exhibit R-1. The Request for Verification specifically requested Petitioner's signed recertification application, a copy of her lease, a copy of her utility bills, and information regarding a job interview, all of which was due to the Agency by August 25, 2025. Ibid. On August 28, 2025, Petitioner signed the recertification application, which needed to be signed and returned to the Agency. Ibid. On September 16, 2025, and September 17, 2025, Petitioner supplied the Agency with some documentation. Ibid. The Agency marked the Application as received on September 19, 2025. Ibid. On September 30, 2025, the Agency sent a Request for Contact, requesting three months' worth of gross earnings statements from two sources. Ibid. The Request for Contact clearly states that the requested information was due by October 10, 2025, and further states, "If you do not respond or cannot provide the answers to the item(s) above, we can close your case and you can lose benefits to your family entirely." Ibid. No additional response was received and Petitioner's SNAP benefits case closed, as the Agency had not received the documentation regarding Petitioner's income which was required in order to determine if she remained eligible for the receipt of SNAP benefits, beyond the end of her certification period. See Initial Decision at 3.

The ALJ notes that the Request for Contact states that the requested information is due by October 10, 2025, but that a failure to contact the Agency within 10 days of the date of the notice would result in case closure effective October 1, 2025. Ibid. The notice generated such dates due to the fact that Petitioner's certification period was ending on September 30, 2025, and the Agency still required clarification of Petitioner's income in order to determine Petitioner eligible for continued receipt of SNAP benefits. With none of the required income documentation having been received, Petitioner's SNAP benefits remained closed as of October 1, 2025, as her certification period had ended. See N.J.A.C. 10:87-9.1(a). Notably, as early as January 16, 2025, Petitioner had been made aware, via notice from the Agency, that her certification period would expire on September 30, 2025, and that she would no longer receive benefits unless she reapplied by September 15, 2025. See Exhibit R-1.

The ALJ in this matter found that the Agency had improperly terminated Petitioner's SNAP benefits because it had failed to issue proper notice to Petitioner regarding the termination of her SNAP benefits. See Initial Decision at 6-7; see also N.J.A.C. 10:87-2.27(e)(1).

Based upon an independent review of the record, I respectfully disagree with the ALJ, and therefore REJECT the Initial Decision for the following reasons. First, the ALJ does not apply the correct regulatory authority, N.J.A.C. 10:87-9.1, et seq, utilized in a recertification for SNAP benefits matter. As stated above, after the Agency received Petitioner's recertification application on September 19, 2025, prior to the end of her certification period, on September 30, 2025, the Agency requested that Petitioner provide requested income verification, within 10 days of September 30, 2025, or by October 10, 2025. See Exhibit R-1. Regulatory authority states that, when Petitioner files a recertification application, the Agency must give Petitioner a minimum of 10 days to provide the required verification information. See N.J.A.C. 10:87-9.1(h). Petitioner did not provide the requested verification on or before October 10, 2025, and therefore, as income is required to be verified, Petitioner's case remained closed effective October 1, 2025, when Petitioner's prior certification period ended. Ibid. Moreover, the Request for Contact clearly states that failure to provide the requested information could result in Petitioner's case closing. See Exhibit R-1. Based on the discussion above and in accordance with the applicable regulatory authority, I find that the Agency's determination to close Petitioner's SNAP benefits case at recertification was proper, and I hereby REJECT the ALJ's findings.

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

Officially approved final version. July 30, 2026

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Natasha Johnson  
Assistant Commissioner

