



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 **21896-25 J.K.**

AGENCY DKT. NO. **C695327002 (BERGEN COUNTY BD. OF SOC. SVCS.)**

Petitioner Agency charges Respondents, J.C. and J.K. (docketed separately under Office of Administrative Law ("OAL") Docket Nos. HPW 21895-25 (J.C.) and HPW 21896-25 (J.K.), respectively), 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 Respondents improperly and intentionally misused their SNAP benefits in October, 2025, by allowing an authorized individual to access their Electronic Benefits card ("EBT") and PIN number. Respondents were sent a Notice for Suspected IPV and appeared for a scheduled interview on November 20, 2025, at the Agency. At the interview, Respondents were personally served with the Advanced Notice of Administrative Disqualification Hearing and the Waiver of Right of Administrative Disqualification Hearing. See Exhibit P-1; see also N.J.A.C. 10:87-11.5(a)(3)(i) and 7 C.F.R. 273.16(e)(3)(i). On November 21, 2025, these documents were additionally served at J.K.'s residence. See Initial Decision at 2. Because Respondents failed to timely execute and return the waiver of their right to a hearing, the matter was transmitted to the Office of Administrative Law for a hearing as a contested case. Of note, Respondents did sign the waivers, however, they were not submitted by the due date and thus the case was transmitted for a hearing. By Order of February 18, 2026, the Honorable Sandra L. Lascari, Administrative Law Judge ("ALJ"), consolidated Respondents' separate matters. See N.J.A.C. 1:1-17.3(a). Also on February 18, 2026, the ALJ held the administrative disqualification hearing, took testimony, admitted documents, and the record closed.

An IPV consists of having intentionally committed any act that constitutes a violation of the NJ SNAP program rules, for the purpose of using, presenting, transferring, acquiring, receiving, possessing or trafficking of benefits. See N.J.A.C. 10:87-11.3(a)(2) and 7 C.F.R. (c)(2). An ALJ shall base the finding of an IPV on clear and convincing evidence which demonstrates that the household member committed, and intended to commit, an IPV. See N.J.A.C. 10:87-11.5(a)(6), 7 C.F.R. 273.16(c)(1) and 7 C.F.R. 273.16(e)(4).

The ALJ's Initial Decision found that the Agency had met its burden in establishing, by clear and convincing evidence, that Respondents had allowed an individual, known to them, to use their EBT card for multiple transactions, at different retail locations, including sharing of their PIN number to authorize such transactions which constitutes trafficking of benefits. See Initial Decision at 3-4; 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 Agency in this matter received an anonymous email indicating SNAP benefits were potentially being trafficked, which led to an investigation, including the subpoena and review of surveillance video from two retail locations, which showed an individual, who was neither J.C. nor J.K., using the EBT card, in conjunction with the PIN number, to make transactions. See Initial Decision at 3-4; see also Exhibit P-1. J.C. and J.K. admitted allowing an unauthorized individual to utilize their EBT card, and PIN number, in violation of the terms of the SNAP program. See Initial Decision at 4. Upon consideration of



the Agency's testimonial and documentary evidence, the ALJ found that Respondents intentionally committed an IPV. See Initial Decision at 4-5. I agree.

As this was the first IPV committed by Respondents, 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 5; 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).

Accordingly, based upon the foregoing, I hereby ADOPT the Initial Decision in this matter, and ORDER that Respondents are disqualified from receipt of SNAP benefits for a period of 12 months.

Officially approved final version. April 09, 2026

Natasha Johnson
Assistant Commissioner

