



# 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 **20039-25 E.S.**

AGENCY DKT. NO. **S581716012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of his Supplemental Nutritional Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's SNAP benefits, first contending that Petitioner had failed to provide information and documentation necessary to determine continued eligibility, and then because Petitioner's 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 ("OAL") for a hearing. On March 27, 2026, the Honorable Jeffrey N. Rabin, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents. On April 10, 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, the ALJ's Initial Decision is hereby ADOPTED and the Agency determination is AFFIRMED, based on the discussion below.

In order to determine eligibility for SNAP benefits, mandatory verification of certain information is required, such as household income, which includes both earned and unearned income. See N.J.A.C. 10:87-2.19, -2.20. Without verification of required information, SNAP eligibility cannot be determined or granted. *Ibid.*

Regulatory authority applicable to SNAP benefits cases, defines income as "all income from whatever source unless such income is specifically excluded." See N.J.A.C. 10:87-5.3. Additionally, for SNAP benefits cases, unearned income includes survivors, disability, and Social Security benefits for both adults and children in the household. See N.J.A.C. 10:87-5.5(a)(2).

In order to determine an applicant's eligibility for SNAP, the applicant's income and resources must be below a certain threshold. In accordance with N.J.A.C. 10:87-6.16(d)(1), households which contain an elderly or permanently disabled individual, as defined by N.J.A.C. 10:87-2.34, must meet the net income test for SNAP eligibility. 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.

N.J.A.C. 10:87-6.16(b) further outlines the procedures used to calculate both gross and net income for SNAP benefits purposes, and the applicable benefit levels, if eligible. The regulation provides that the applicant's monthly net income



is determined by adding together all earned and unearned income, then subtracting all income exclusions. Then, the standard deduction, based upon the size of the household, is subtracted from the income.

Thereafter, the household is evaluated to determine if a medical deduction is appropriate, which is if the household has medical expenses that exceed \$35.00. If the household is entitled to a medical deduction, then the amount in excess of \$35.00 is subtracted from the applicant's income. Then, the applicant is evaluated for an excess shelter deduction. Such a deduction is permitted when the individual's shelter costs exceed 50% of their net income. If this deduction is allowable, then the difference between the shelter costs and the 50% net income, or up to the maximum allowable amount, is subtracted from the individual's income. The remaining figure is Petitioner's net income for SNAP benefits purposes. This net income is then compared against the maximum allowable net income amount for the household's size, as outlined at N.J.A.C. 10:87-12.3, to determine eligibility. If eligible, the household's monthly SNAP allotment shall be equal to the maximum food stamp allotment for the household's size, reduced by 30 percent of the household's net monthly income. See N.J.A.C. 10:87-12.6(a)(1).

Here, the record reveals that Petitioner was advised by the Agency, on October 21, 2025, that his SNAP benefits would be terminated as he had failed to provide information regarding his son, with whom he resided. See Initial Decision at 2. Following receipt of additional information regarding Petitioner's son's income, on November 13, 2025, the Agency recalculated Petitioner's household's income and determined that the household's income, which consists of Petitioner's Retirement, Survivors, and Disability Insurance ("RSDI") of \$1,227 per month, his son's earned income of \$4,086, and monetary contributions of \$850 per month from relatives, exceeded the net income threshold for receipt of SNAP benefits, following any applicable deductions. *Ibid.*; see also Exhibit R-1 at 10, 13.

Following presentation of testimonial and documentary evidence in this case, the ALJ concluded that Petitioner had not provided the requested information required to be verified to determine eligibility, and as such, the Agency's termination of SNAP benefits to Petitioner was proper and must stand. See Initial Decision at 3; see also N.J.A.C. 10:87-2.19, -2.20. I agree. Further, the ALJ concluded that the information obtained by the Agency to verify Petitioner's household's income evidenced that his household income exceeded the net income threshold of \$1,763 for receipt of SNAP benefits. See Initial Decision at 3-4; see also Exhibit R-1 at 10, 13, and N.J.A.C. 10:87-6.16(b), (d)(1). Based on an independent review of the record, I also agree.

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

Officially approved final version. April 29, 2026

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Natasha Johnson  
Assistant Commissioner

