



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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STEPHEN CHA, MD, MHSR
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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 **19913-25 H.B.**

AGENCY DKT. NO. **C195532015 (OCEAN COUNTY BOARD 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 failed to report the receipt of earned income while her household 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 Certified Mail, on November 1, 2025. 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). 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 December 30, 2025, the Honorable Allison Friedman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

Exceptions to the Initial Decision were filed by Respondent on January 20, 2026.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the Initial Decision and the record in this matter, and hereby MODIFY the ALJ's Initial Decision, based on the discussion below. See 7 C.F.R. 273.16(e)(6).

On January 6, 2026, 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 2-5; see also Exhibits P-2, P-3, P-4, P-5, and N.J.A.C. 10:87-11.3(a), -11.5(a)(6), 7 C.F.R. 273.16(c)(1), 7 C.F.R. 273.16(e)(4). Specifically, the ALJ found that Respondent intentionally failed to report sources of earned income, as well as the correct amount of earned income received, at the time of her SNAP application in June, 2025. *Ibid.*; and N.J.A.C. 10:87-5.2(a)(1), -9.5(a)(3). Such misrepresentations resulted in an overissuance of SNAP benefits to Respondent in the amount of \$1,370 for the period of June, 2025 through July, 2025. See Initial Decision at 2-5; see also Exhibits P-2, P-6.

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 5; see also 7 C.F.R. 273.16(b)(1)(i).

While I agree with the final conclusions of the ALJ in this matter, I am modifying the Initial Decision for the following reasons. With respect to a matter alleging an IPV, the Agency is responsible for initiating an administrative disqualification hearing. See N.J.A.C. 10:87-11.1. Accordingly, as the Agency is the party requesting relief in an IPV case, it is the



"Petitioner." See N.J.A.C. 1:1-2.1, "Definitions." Conversely, the party responding to the Agency's request for relief in an IPV case is the "Respondent." Ibid. In the caption of the Initial Decision, H.B. was incorrectly referred to as "Petitioner," when she was, in fact, the Respondent. The Agency was incorrectly referred to as "Respondent," when it should have been referred to as "Petitioner." Additionally, the Exhibits listed in the Initial Decision are also modified to reflect the correct corresponding party designations. The parties were not identified as Petitioner or Respondent within the text of the Initial Decision; accordingly, it was not necessary to correct any party designations within the text of the Initial Decision itself, as none were used. Therefore, the Initial Decision is modified to reflect the correct designation of the parties within the case caption of the Initial Decision and in the list of Exhibits as noted in the Initial Decision.

By way of comment, I have reviewed Respondent's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

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 MODIFY the Initial Decision in this matter, as outlined above, and ORDER that Respondent is disqualified from receipt of SNAP benefits for a period of 12 months. I further ORDER that the Agency is to recoup the overissuance.

Officially approved final version. January 27, 2026

Natasha Johnson
Assistant Commissioner

