



State of New Jersey

MIKIE SHERRILL
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

STEPHEN CHA, MD, MHSR
Commissioner

DR. DALE G. CALDWELL
Lt. Governor

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 **06531-26 R.M.**

AGENCY DKT. NO. **C129479008 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)**

Petitioners R.M and M.V. challenge the correctness of the Respondent Agency's claim for recovery of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits issued to Petitioners between October, 2025 and November, 2025, and Supplemental Nutrition Assistance Program ("SNAP") benefits issued to Petitioners between October, 2025 and November, 2025. The Agency asserts that Petitioner received WFNJ/TANF and SNAP benefits to which they were not entitled, thereby resulting in the overissuance of benefits which must be repaid. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On June 1, 2026, the Honorable Susan McCabe, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence. The record was held open to allow for submission of additional documentation and closed on June 2, 2026. Upon receipt of the supplemental documentation, the ALJ reconvened the hearing on June 10, 2026. The record was held open to allow for additional documentation and again closed on June 11, 2026. On June 25, 2026, the ALJ issued an Initial Decision, affirming the Agency's determinations.

Exceptions to the Initial Decision were filed by Petitioners on July 7, 2026.

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 ALJ's Initial Decision, and AFFIRM the Agency actions, based on the discussion below.

In the instance of an overpayment of benefits, the Agency must recoup the overissuance. See N.J.A.C. 10:87-11.20. One type of overpayment which is subject to recoupment is one which results from "a misunderstanding or unintended error on the part of the household" receiving benefits, called an "Inadvertent Household Error" ("IHE"). See N.J.A.C. 10:87-11.20(e)(2). Repayment of overissuances may be sought for up to six years following the time that the Agency becomes aware of the overpayment. See N.J.A.C. 10:87-11.20(f)(1)(i).

Similarly, under the WFNJ regulations, a WFNJ benefits recipient is required to satisfy any repayment obligation pursuant to state or Federal law governing public assistance. See N.J.A.C. 10:90-2.2(a)(7). WFNJ assistance units are required to inform the Agency of any change in income and circumstances that would affect eligibility no later than 10 days after the change happened, or in the case of earnings, no later than 10 days from the date of receipt of the first paycheck. See N.J.A.C. 10:90-3.11(e); see also N.J.A.C. 10:87-9.5(b)(1)(i) (requiring a SNAP household to report a change in income within 10 days from the day of receipt of the first paycheck).



Here, the record reflects that Petitioners failed to accurately report income earned from M.V.'s employer during the time when he was receiving WFNJ/TANF and SNAP benefits. See Initial Decision at 3; see also Exhibit R-1. On October 22, 2025, the Agency conducted a telephone interview with M.V. regarding his December, 2025 recertification for benefits, and, during the interview M.V. reported that he had begun employment in October, 2025. Ibid. Subsequently, the Agency conducted an investigation which revealed that M.V. had actually begun employment August 1, 2025, and failed to report same to the Agency within the required timeframe. Ibid. Taking into consideration Petitioner's earned income, the Agency determined that WFNJ/TANF benefits had been overissued in the amount of \$1,288 from October, 2025 through November, 2025, and that SNAP benefits had been overissued in the amount of \$1,988 from October, 2025 through November, 2025. Ibid. Based on the foregoing, the ALJ in this case found that the Agency had met its burden in establishing, by a preponderance of the credible evidence, that Petitioners had received overissuances of WFNJ/TANF and SNAP benefits to which they were not entitled, which must now be repaid. See Initial Decision at 3-5; see also N.J.A.C. 10:87-5.4(a)(1), -9.5, -11.20, N.J.A.C. 10:90-3.21(a)(1), (2), (3). I agree.

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

I ORDER and direct that the Agency proceed to recoup the overissuances.

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

Officially approved final version. July 30, 2026

Natasha Johnson
Assistant Commissioner

