



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT
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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 **03066-26 S.T.**

AGENCY DKT. NO. **C313448020 (UNION COUNTY DIVISION OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutritional Assistance Program ("SNAP") benefits. The Agency denied Petitioner SNAP benefits contending that Petitioner's countable 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 for a hearing. On April 17, 2026, the Honorable Kelly J. Kirk, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence. On April 20, 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, I hereby ADOPT the Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Regulatory authority applicable to SNAP benefit cases, defines income as "all income from whatever source unless such income is specifically excluded." See N.J.A.C. 10:87-5.3. "Earned income" is defined, in pertinent part, as "[a]ll wages and salaries received as compensation for services performed as an employee[.]" See N.J.A.C. 10:87-5.4(a)(1). In order to determine an applicant's eligibility for SNAP, the applicant's income and resources must be below a certain threshold. 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.

Gross income is determined by adding together the household's monthly earned and unearned income, minus any earned income exclusions. See N.J.A.C. 10:87-6.16(b), (b)(1). That total gross income amount is then utilized to determine a household's SNAP eligibility in accordance with N.J.A.C. 10:87-6.16(d)(1) and (2). The maximum allowable gross income level for a household of two persons for SNAP benefits eligibility, at the time of Petitioner's application, was \$3,261. See DFD Instruction ("DFDI") 25-09-02 at 14.

Here, the record reflects that Petitioner applied for SNAP benefits, on behalf of herself, and her minor child in January, 2026. See Initial Decision at 2; see also Exhibit R-1. Further, Petitioner submitted paystubs from employment in December, 2025, and January, 2026, which were evaluated by the Agency and used to determine that Petitioner's household monthly income made her ineligible for SNAP benefits, which was communicated to Petitioner via an Application Denial Notice on February 3, 2026. Ibid. At the time of the hearing, the Agency representative testified that



Petitioner's monthly income was calculated based upon the paystubs received, and such calculation indicated that Petitioner was over the gross income threshold of \$3,261 for receipt of SNAP benefits, as her household's gross income was determined to be \$3,309. Ibid.; see also DFDI 25-09-02 at 14.

Based on the foregoing, the ALJ found that Petitioner's household failed to meet the gross income test, which ended the Agency's analysis regarding eligibility for SNAP benefits. See Initial Decision at 3-4; see also N.J.A.C. 10:87-6.16(b), (d) (2) and DFDI 25-09-02 at 14. Accordingly, the ALJ found that the Agency's February 3, 2026, denial of SNAP benefits was proper and must stand. Ibid. I agree.

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

Officially approved final version. April 29, 2026

Natasha Johnson
Assistant Commissioner

