



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
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 **10754-26 J.M.**

AGENCY DKT. NO. **C039173019 (SUSSEX COUNTY DIVISION 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 misrepresented her household composition and income while she received SNAP benefits, thus causing Respondent to receive an overissuance of benefits to which she was not entitled. On July 14, 2026, the Honorable Leslie Z. Celentano, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, admitted documents, and the record was closed. Respondent did not appear for the hearing, and the matter proceeded ex parte, which is permissible pursuant to regulation. See N.J.A.C. 1:10-14.1(d), N.J.A.C. 10:87-11.5(a)(4)(i), and 7 C.F.R. 273.16(e)(4). Respondent was given ten days following the hearing to present good cause for her failure to appear. See 7 C.F.R. 273.16(e)(4). Respondent did not respond. On July 31, 2026, the ALJ issued an Initial Decision finding that Respondent had committed an IPV. See Initial Decision at 4-5. In that Initial Decision, the ALJ asserted that Respondent was properly noticed of the Administrative Disqualification Hearing, the charges against her, and the proposed disqualification penalty via certified mail. See Initial Decision at 2.

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 hereby REJECT the Initial Decision in this matter and REMAND the case to the Agency, for proper service and rehearing.

Following an independent review of the record, and a review of the documentary evidence presented, I find that it cannot be determined that Respondent was properly noticed via certified mail of the charges against her, nor the proposed disqualification penalty, as the signature on the certified mail receipt is not that of Respondent. See Exhibit P-1. Although the certified mail return receipt may be signed by a household member, including a spouse, the Agency must provide proof that the correct individual actually received the notice on a timely basis. See N.J.A.C. 10:87-11.5(a)(3)(i)(4). A telephone confirmation by that individual would be adequate proof. Ibid. As the record in this matter clearly indicates a signature other than the Respondent, and there is no indication the Agency confirmed receipt of the notice by the Respondent, the record fails to prove that the required measures were taken to ensure service was properly administered in this matter.

Accordingly, based upon the foregoing, I hereby REJECT the Initial Decision in this matter, and REMAND the matter back to the Agency to ensure proper service is provided to Respondent, in accordance with N.J.A.C. 10:87-11.5(a), and



7 C.F.R. 273.16(e)(3)(i). The matter shall then be retransmitted to the Office of Administrative Law for an appropriate hearing.

Officially approved final version. August 27, 2026

Natasha Johnson
Assistant Commissioner

