



## 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 **06675-26 S.J.**

AGENCY DKT. NO. **C283284020 (UNION 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 county of residence while she 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, however, when a typographical error was identified on the original notice, additional Certified Mail was sent, and the Agency confirmed receipt of the hearing information by phone call with Respondent. See Exhibits P-6, P-7, P-9; 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 May 15, 2026, the Honorable Nanci G. Stokes, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, admitted documents, and the record was closed.

In accordance with applicable regulatory authority, a SNAP benefits household must reside in the county and State in which it files for benefits, and may not collect SNAP benefits from more than one location simultaneously. See N.J.A.C. 10:87-3.2(a); see also 7 C.F.R. 273.3. Additionally, SNAP benefits households are required to report certain changes within 10 days which can affect eligibility and/or allotment amount, including a change in residence. See N.J.A.C. 10:87-9.5(a)(2), (b)(1)(iv); see also 7 C.F.R. 273.12.

IPVs occur when SNAP benefits are issued as the result of an intentionally false or misleading statement, misrepresentation, concealment or withholding of facts, or when SNAP benefits are improperly used, presented, transferred, acquired, possessed, received or trafficked. See N.J.A.C. 10:87-11.3(a)(1), (2); see also 7 C.F.R. 273.16.

On May 20, 2026, the ALJ issued an Initial Decision in this matter 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 2-6; see also N.J.A.C. 10:87-11.3(a), -11.5(a)(6), 7 C.F.R. 273.16(c)(1), and 7 C.F.R. 273.16(e)(4). The ALJ found that Respondent had deliberately and intentionally withheld information from the Agency, by failing to accurately report her county of residence, which resulted in Respondent receiving an overissuance of SNAP benefits, to which she was not entitled. See Initial Decision at 2-6; see also Exhibits P-1, P-2, P-3, P-4, P-5, and N.J.A.C. 10:87-5.2(a)(1), -9.5(a)(3), -11.5(a)(6) and 7 C.F.R. 273.16(c)(1). Specifically, on June 23, 2023, Respondent submitted an application for SNAP benefits in Union County, indicating a household of two which included her child and herself. See Initial Decision at 2; see also Exhibit P-1. Subsequently, in December, 2024, a fraud investigation was undertaken when



the Agency became aware that Respondent had applied for Medicaid benefits in Essex County, with an address in such county. See Initial Decision at 3. The investigation led the Agency to conclude that Petitioner utilized her SNAP benefits almost exclusively through transactions in Essex County. Ibid.; see also Exhibits P-1, P-2. Additional documentary evidence further indicated Respondent being associated with residences in Essex County, including an address in such county being included on bank statements, voter registration, and Respondent's driver's license, which was contrary to information Respondent submitted to the Agency. Ibid.; see also Exhibits P-3, P-4, P-5, P-7.

Based on the foregoing, the ALJ found that Respondent committed a SNAP IPV by concealing and withholding information regarding the appropriate county of residence, by proffering no supporting evidence she was a resident of Union County during the time of receipt and use of benefits, and by spending almost all benefits out-of-county. See Initial Decision at 3-6. I agree.

As noted above, IPV's occur where the person intentionally "made a false or misleading statement, or misrepresented, concealed or withheld facts." See N.J.A.C. 10:87-11.3 and 7 C.F.R. 273.16(c). Such misrepresentations in this matter resulted in an overissuance of SNAP benefits to Respondent in the amount of \$7,482, for the period of January, 2025 to February, 2026. See Initial Decision at 3-4; see also Exhibit P-4.

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 5-6; see also 7 C.F.R. 273.16(b)(1)(i).

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 concur with the ALJ's decision, and hereby adopt the Findings of Fact and Conclusion of Law in this matter. See 7 C.F.R. 273.16(e)(6).

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

Officially approved final version. June 04, 2026

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Natasha Johnson  
Assistant Commissioner

