



State of New Jersey

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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 **01787-26 W.R.**

AGENCY DKT. NO. **S475735001 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)**

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutritional Assistance Program ("SNAP") benefits. The Agency denied Petitioner's application for SNAP benefits contending that Petitioner's countable household income exceeded the maximum permissible level for receipt of said benefits, and contending that Petitioner's resources 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. The matter was initially scheduled for March 27, 2026, but was postponed. On April 17, 2026, the Honorable Carl V. Buck III, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence. The record was then held open to allow for the submission of additional documentation and closed on April 27, 2026. On May 12, 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 MODIFY the Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

In order to determine an applicant's eligibility for SNAP, the applicant's income and resources must be below a certain threshold. In accordance with N.J.A.C. 10:87-6.16(d)(1), households which contain an elderly or permanently disabled individual, as defined by N.J.A.C. 10:87-2.34, must meet the net income test only for SNAP eligibility. As a result of Petitioner's age, he is considered elderly for SNAP benefits purposes, and therefore needs to meet only the net income test for SNAP benefits eligibility. See N.J.A.C. 10:87-2.34(a)(1) (defining "elderly" as an individual who is 60 years of age or older); see also N.J.A.C. 10:87-6.16(d)(1).

Further, in accordance with N.J.A.C. 10:87-4.11(a), the maximum allowable resources, including both liquid and non-liquid assets for all members of the household, shall not exceed \$3,000, except households which include a person aged 60 or over, for which such resources shall not exceed \$4,500. See DFD Instruction ("DFDI") 25-09-02 at 14. If the household's non-excludable income exceeds the allowable amounts at any point in time, the household's participation in the SNAP program shall be denied or terminated. See N.J.A.C. 10:87-4.11(b).

Here, the record reflects that Petitioner applied for SNAP benefits, on behalf of himself, on December 3, 2025. See Initial Decision at 2; see also Exhibit R-1. On January 12, 2026, the Agency denied Petitioner's application for SNAP benefits, indicating that his household's calculated net income exceeded the maximum permissible amount. Ibid. Additionally,



Petitioner had provided the Agency with information regarding his bank account, which totaled in excess of \$17,000 in resources, far exceeding the maximum allowable amount of resources when determining eligibility for SNAP benefits. See Initial Decision at 3; see also Exhibit R-1.

Based on the foregoing, and the documentary evidence in this matter, the ALJ concluded that, in addition to Petitioner's net income exceeding the maximum allowable net income threshold for a household of one person, as funds were in Petitioner's bank account, and therefore within his control, same must be considered a resource, and, based upon applicable regulatory authority, the ALJ in this matter found that Petitioner's resources clearly exceeded the maximum allowable level amount, and as such, the Agency's denial of SNAP benefits, based upon resource ineligibility, was proper and must stand. See Initial Decision at 5; see also N.J.A.C. 10:87-4.11 and DFDI 25-09-02 at 14. I agree, however, I find that Petitioner's excess resources alone preclude eligibility for SNAP benefits. See N.J.A.C. 10:87-4.11(b). Additionally, I note that due to Petitioner's age, the correct maximum allowable resources amount is \$4,500, rather than \$3,250, as stated by the ALJ. See Initial Decision at 4; see also DFDI 25-09-02 at 14. The Initial Decision in this matter is modified to reflect these findings.

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

Officially approved final version. June 10, 2026

Natasha Johnson
Assistant Commissioner

