



State of New Jersey

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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 **16734-25 Y.M.**

AGENCY DKT. NO. **C063116021 (WARREN CO. DIV TEMP ASST & SOC. SVCS)**

Petitioner appeals from Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") benefits, at recertification. The Agency denied Petitioner's application for SNAP benefits, at recertification, contending that Petitioner failed to timely provide information and documentation necessary to determine continued eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 6, 2025, the Honorable Leslie Z. Celentano, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence. On November 7, 2025, the ALJ issued an Initial Decision reversing 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 reviewed the record in this matter and I hereby **REJECT** the Initial Decision, and **AFFIRM** the Agency determination, based on the discussion below.

Regulatory authority applicable to a SNAP household recertification for SNAP benefits states that "[n]o household may participate beyond the expiration of the certification period ... without a determination of eligibility for a new period. Households shall apply for recertification and shall comply with interview and verification requirements." See N.J.A.C. 10:87-9.1(a).

Further, N.J.A.C. 10:87-9.1(h) states, "Information provided by the household shall be verified in accordance with N.J.A.C. 10:87-2.19 and 2.20. The CSSA shall provide the household a notice of required verification as provided at N.J.A.C. 10:87- 2.22(d)3, and notify the household of the date by which the verification requirements must be satisfied. The household must be allowed a minimum of 10 calendar days to provide required verification information." (emphasis added).

Finally, N.J.A.C. 10:87-9.2(c)(5) states, in pertinent part, "A household which submits an application by the filing deadline but neither appears for an interview scheduled after the application has been filed, nor submits verification within the required time frame, shall lose its right to uninterrupted benefits. The CSSA shall deny the household's recertification application at the end of the last month of the current certification period." (emphasis added).

Here, the record reveals that Petitioner was sent a Notice of Expiration, regarding her SNAP benefits, on June 2, 2025, after which she completed her SNAP recertification interview on June 25, 2025. See Initial Decision at 2; see also Exhibit R-A. On June 26, 2025, Petitioner was sent a Request for Verification from the Agency, requesting various documentation including paystubs and a student verification form. See Initial Decision at 2; see also Exhibit R-B. In July 2025, Petitioner



suffered a heart attack, which required one of her children to cease employment to care for her. See Initial Decision at 2. On July 30, 2025, additional documentation was provided to the Agency, however, no student verification form was returned. See Initial Decision at 2; see also Exhibit R-C. As of August 1, 2025, the Agency was unable to process the SNAP recertification and the Agency mailed Petitioner a Request for Contact requesting paystubs for two of her children and a student verification form. See Initial Decision at 2; see also Exhibit R-D. The August 1, 2025, Request for Contact, also advised Petitioner that she had 10 days from the date of the notice, to provide the requested documents. Ibid.

As of August 31, 2025, the Agency had not received paystubs for one of Petitioner's children, nor the student verification form, and Petitioner's SNAP benefits case was closed. See Initial Decision at 3. On September 8, 2025, Petitioner contacted the Agency and provided additional paystubs and a self-attested statement from one of her children that they were no longer employed. Ibid. However, as Petitioner's SNAP case had already closed, the Agency then advised Petitioner that she would have to reapply for SNAP benefits. Ibid.; see also Exhibit R-E and N.J.A.C. 10:87-9.1(h), -9.2(c) (5).

Petitioner then reapplied for SNAP benefits on September 23, 2025, and on October 8, 2025, the Agency sent a request for verifications for one of her children's paystubs and a student verification form. See Initial Decision at 4; see also Exhibit R-F. On October 15, 2025, Petitioner's September application was processed and reopened with pro-rated benefits for September 23, 2025 to September 30, 2025. See Initial Decision at 4-5. Petitioner contends that her SNAP case should not have been closed and she should have received SNAP benefits for August, 2025 as well as for September 1, 2025 to September 22, 2025.

The ALJ found that, with the exception of minimal documentation, the Agency had all of the other information needed to determine if Petitioner was eligible for continued SNAP benefits as of August 1, 2025, when the recertification was to be processed. See Initial Decision at 7. Further, the ALJ opined that the Agency had failed to provide Petitioner sufficient notice as to when documentation was due to the Agency to prevent the termination of SNAP benefits. Ibid. Based on the foregoing, the ALJ concluded that the Agency had failed to properly notice Petitioner as to the deadline for the submission of documentation to prevent the closure of her SNAP case and reversed the Agency's determination. See Initial Decision at 8. The ALJ also concluded that the Agency should provide Petitioner with retroactive SNAP benefits for the month of August, 2025 as well as for September 1, 2025 to September 22, 2025. Ibid.

Based upon an independent review of the record, I respectfully disagree with the ALJ, and therefore, REJECT the Initial Decision, for the following reasons. First, the ALJ does not apply the correct regulatory authority, N.J.A.C. 10:87-9.1, et seq, utilized in a recertification for SNAP benefits matter. As stated above, on August 1, 2025, the Agency requested that Petitioner provide requested verification, within 10 days of August 1, 2025, or by August 11, 2025. See Exhibit R-D. Regulatory authority states that, when Petitioner files a recertification application, the Agency must give Petitioner a minimum of 10 days to provide the required verification information. See N.J.A.C. 10:87-9.1(h). Petitioner did not provide the requested verification on or before August 11, 2025, as stated in the notice, but rather, and without an explanation for the delay, almost a month thereafter, on September 8, 2025, Petitioner provided only some of the requested verification. See Initial Decision at 3; see also N.J.A.C. 10:87-9.1(h). As such, because Petitioner had not complied with the deadline stated in the August 1, 2025, Request for Contact, the Agency closed Petitioner's SNAP case. See N.J.A.C. 10:87-9.2(c) (5). Based on the discussion above and in accordance with the applicable regulatory authority, I find that the Agency's determination to terminate Petitioner's SNAP benefits at recertification was proper, and I hereby REJECT the ALJ's findings.

Therefore, based upon the foregoing, I hereby REJECT the Initial Decision in this matter, and AFFIRM the Agency determination, as outlined above.

Officially approved final version. January 13, 2026

Natasha Johnson
Assistant Commissioner

