



State of New Jersey

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*Governor*

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DIVISION OF FAMILY DEVELOPMENT  
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TRENTON, NJ 08625-0716

NATASHA JOHNSON  
*Director*

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 16479-18 C.B.

AGENCY DKT. NO. C146285003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's determination of the effective date for issuance of Supplemental Nutrition Assistance Program ("SNAP") benefits, on recertification. The Agency issued Petitioner SNAP benefits, on recertification, with an effective date of September 1, 2018, contending that it could only add Petitioner's spouse to his SNAP case when it received the requested necessary information, and that Petitioner had failed to timely provide it. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 12, 2018, the Honorable Dean J. Buono, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On December 17, 2018, the ALJ issued an Initial Decision affirming the Agency's determination. Here, the record reflects that on May 30, 2018, Petitioner appeared at the Agency to add his spouse to his SNAP household, but did not provide any documentation to establish her identity and address. See Initial Decision at 3; see also Exhibit R-1 at 16-17. On July 18, 2018, Petitioner called the Agency regarding the status of his SNAP benefits, and the Agency advised him that it would need identification from his spouse indicating that she and Petitioner lived in the same household. See Initial Decision at 3; see also Exhibit R-1 at 18. On August 15, 2018, Petitioner faxed copies of his spouse's driver's license and Social Security card to the Agency. See Initial Decision at 3. The Agency then processed Petitioner's application for SNAP benefits, on recertification, with an effective date of September 1, 2018. Ibid. The Agency contends that it could not have added Petitioner's spouse to his case until it established her appropriate identity and address, and it did not receive the requested information until August 15, 2018. Ibid. Petitioner maintained that he had submitted all the appropriate documentation on May 30, 2018, and that the Agency had lost the paperwork. Ibid. The ALJ found that Petitioner was required to verify his spouse's address when he submitted his recertification application for SNAP benefits on May 30, 2018, but did not do so until August 15, 2018. Id. at 4. Based on the foregoing, the ALJ concluded that the Agency had provided Petitioner sufficient opportunity to gather and provide the required verification, but Petitioner had failed to do so, and there was no good cause for his inability to timely comply with the requirements. Id. at 4-5, 6; see also N.J.A.C. 10:87-2.14, -2.22(c)(1). Accordingly, the ALJ affirmed the Agency's determination to establish the effective date of issuance of Petitioner's SNAP benefits, on recertification, as September 1, 2018. See Initial Decision at 8. I agree.

No Exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have considered the record in this matter and the ALJ's Initial Decision and I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter.

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



DEC 26 2018

Officially approved final version.

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Natasha Johnson  
Director

DEC 26 2018

