



State of New Jersey

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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 14974-18 W.B.

AGENCY DKT. NO. C277157007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner challenges the correctness of Respondent Agency's reduction of her Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency reduced Petitioner's SNAP benefits due to an increase in household income. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 30, 2018, the Honorable Margaret M. Monaco, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence. The record remained open until October 31, 2018, to permit the Agency to supplement its hearing packet with a copy of the computer-generated calculation of Petitioner's SNAP benefits. The Agency forwarded same on October 31, 2018, and the record closed on that day.

On November 8, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on September 17, 2018, the Agency notified Petitioner that beginning October 1, 2018, her SNAP benefits would be reduced to \$18 due to the receipt of child support payments which increased her household's total income. See Initial Decision at 2; see also Exhibits P-1 at 1 and R-1 at 6-9. The Agency had determined that Petitioner's monthly unearned income consisted of \$781 in Supplemental Security Income ("SSI") benefits, \$530 in child support payments, and \$100 from the Agency in child support arrears payments, for a total of \$1,411. See Initial Decision at 2; see also Exhibits P-1 at 1, R-1 at 7, and R-2 at 1. After the Agency applied the appropriate deductions, Petitioner's monthly SNAP net income was calculated at \$1,114. See Initial Decision at 2-3; see also Exhibits R-1 at 9, R-2 at 3-5, 12-17, and N.J.A.C. 10:87-5.10(a), -6.16. Based on that amount, Petitioner's monthly SNAP benefit allotment is \$18 per month. See Initial Decision at 3; see also Exhibits R-1 at 6-9, R-2 at 1, and N.J.A.C. 10:87-12.6(a). As Petitioner did not dispute the unearned income, and other factors, used by the Agency in calculating the amount of her monthly SNAP benefits, and as the Agency had followed the procedures required by the regulations in calculating the benefits amount, the ALJ concluded that the reduction of Petitioner's SNAP benefits was appropriate. See Initial Decision at 6; see also Exhibits R-1 at 1-4 and R-2 at 1. I agree.

No Exceptions to the Initial Decision were filed by either party.



As the Director of DFD, Department of Human Services, I have considered the ALJ's Initial Decision and following an independent review of the record, I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusions of Law in this matter.

By way of comment, the transmittal in this matter indicates an additional contested issue regarding a termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. However, Petitioner confirmed during the hearing that she no longer wished to challenge the Agency's termination of WFNJ/TANF benefits, thereby withdrawing her appeal on that issue. See Initial Decision at 2, n. 1. As such, the Agency's termination of Petitioner's WFNJ/TANF benefits stands.

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

Officially approved final version.

Natasha Johnson
Director

