



DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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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 5935-15 I.F.

AGENCY DKT. NO. C659895 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of her application for Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits. The Agency denied Petitioner's application for benefits due to the lack of separate household status. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 19, 2015, the Honorable Richard McGill, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence.

On May 26, 2015, the ALJ issued his Initial Decision, affirming the Agency's determination to deny Petitioner's application for SNAP benefits. See Initial Decision at 3. Petitioner did not testify in the matter, but her son's father testified on her behalf. (Hereinafter referred to as C.W.) See Initial Decision at 2. Petitioner, C.W. and their minor-child reside together at the home of S.M.W., who is C.W.'s mother. *ibid.* Petitioner, in support of her SNAP application, submitted a letter from S.M.W. that stated that she provides shelter and food for the couple and their child, as well as \$250.00 to \$300.00 on a monthly basis to Petitioner. *ibid.* The Agency's notice denying Petitioner's SNAP application, dated April 16, 2015, stated the basis for the denial as a lack of separate household status. *ibid.* In his testimony C.W. cited to a letter that he produced from S.M.W., dated May 18, 2015, that stated the he and Petitioner prepare meals separately with the help of the church. See Initial Decision at 2-3.

The A.L.J. noted that the May 18, 2015 letter came well after the Agency's denial of Petitioner's SNAP application. See Initial Decision at 3; see also Exhibit P-1.

Therefore, the ALJ concluded that the totality of the evidence presented supported the Agency's determination that Petitioner and C.W. maintain one household. See Initial Decision at 3; see also N.J.A.C. 10:90-2.7(b) and N.J.A.C. 10:87-2.2(c). Further, while the A.L.J. ordered the Agency's denial of Petitioner's SNAP application affirmed, he also, referencing S.M.W.'s, May 18, 2015, letter, noted that Petitioner and C.W. are free to reapply for SNAP benefits claiming a change in circumstances. See Initial Decision at 3.

As Director of the Division of Family Development, Department of Human Services, I have reviewed the record for this matter and the ALJ's Initial Decision. Following an independent evaluation of the record, I concur with the ALJ's decision in this matter and I hereby adopt the Findings of Fact and Conclusions of Law as contained in the Initial Decision.

No Exceptions to this Initial Decision were filed.

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

Signed Copy on File

at DFD, BARA

JUN 08 2015

Natasha Johnson

Director