

See: 15 N.J.R. 633(a), 15 N.J.R. 1034(a).

Originally adopted as an Emergency Rule, R.1983 d.117, eff. March 31, 1983, operative April 1, 1983. The amendments are pursuant to the Food Stamp Act Amendments of 1982 (P.L. 97-253) and the Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35).

Text formerly codified at 10:87-11.26, expansion of rule and change from "fraud" to "intentional program violation".

Amended by R.1989 d.121, effective February 21, 1989.

See: 20 N.J.R. 2689(a), 21 N.J.R. 511(b).

Recodified and substantially amended from 11.27.

Amended by R.1993 d.62, effective February 1, 1993.

See: 24 N.J.R. 3207(b), 25 N.J.R. 584(a).

In (c)1: changed response to demand letter from within 30 days to immediately upon receipt.

Amended by R.1998 d.498, effective October 5, 1998.

See: 30 N.J.R. 1928(a), 30 N.J.R. 3669(b).

Rewrote (b).

Repealed by R.2004 d.181, effective May 17, 2004.

See: 36 N.J.R. 28(a), 36 N.J.R. 2425(a).

Section was "Collecting intentional program violation claims".

### 10:87-11.30 (Reserved)

As amended, R.1983 d.224, eff. May 31, 1983.

See: 15 N.J.R. 633(a), 15 N.J.R. 1034(a).

Originally adopted as an Emergency Rule, R.1983 d.117, eff. March 31, 1983, operative April 1, 1983. The amendments are pursuant to the Food Stamp Act Amendments of 1982 (P.L. 97-253) and the Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35).

Text formerly codified at 10:87-11.27, deleted and replaced.

Amended by R.1988 d.173, effective April 18, 1988.

See: 20 N.J.R. 162(c), 20 N.J.R. 903(c).

Substantially amended.

Amended by R.1989 d.121, effective February 21, 1989.

See: 20 N.J.R. 2689(a), 21 N.J.R. 511(b).

Recodified from 11.28.

Repealed by R.2004 d.181, effective May 17, 2004.

See: 36 N.J.R. 28(a), 36 N.J.R. 2425(a).

Section was "Changes in household composition".

### 10:87-11.31 (Reserved)

Amended by R.1979 d.422, effective October 18, 1979.

See: 11 N.J.R. 379(a), 11 N.J.R. 559(d).

Amended by R.1983 d.224, effective May 31, 1983.

See: 15 N.J.R. 633(a), 15 N.J.R. 1034(a).

Originally adopted as an Emergency Rule, R.1983 d.117 eff. March 31, 1983, operative April 1, 1983. The amendments are pursuant to the Food Stamp Act Amendments of 1982 (P.L. 97-253) and the Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35).

Text formerly at 10:87-11.28; rules greatly expanded.

Amended by R.1984 d.68, effective March 19, 1984.

See: 15 N.J.R. 2134(b), 16 N.J.R. 550(a).

(a)7, other collection action, added.

Amended by R.1985 d.346, effective July 1, 1985.

See: 17 N.J.R. 883(a), 17 N.J.R. 1659(a).

(a)3iii(5) added.

Amended by R.1989 d.121, effective February 21, 1989.

See: 20 N.J.R. 2689(a), 21 N.J.R. 511(b).

Recodified from 11.29 and substantially amended.

Amended by R.1990 d.270, effective May 21, 1990.

See: 22 N.J.R. 139(a), 22 N.J.R. 1599(a).

Added new Subsection (I).

Amended by R.1998 d.498, effective October 5, 1998.

See: 30 N.J.R. 1928(a), 30 N.J.R. 3669(b).

Rewrote (c) and (d).

Repealed by R.2004 d.181, effective May 17, 2004.

See: 36 N.J.R. 28(a), 36 N.J.R. 2425(a).

Section was "Methods of collection".

### 10:87-11.32 (Reserved)

New Rule, R.1989 d.121, effective February 21, 1989.

See: 20 N.J.R. 2689(a), 21 N.J.R. 511(b).

Repealed by R.2004 d.181, effective May 17, 2004.

See: 36 N.J.R. 28(a), 36 N.J.R. 2425(a).

Section was "Interstate claims collection".

### 10:87-11.33 (Reserved)

New Rule, R.1989 d.121, effective February 21, 1989.

See: 20 N.J.R. 2689(a), 21 N.J.R. 511(b).

Repealed by R.2004 d.181, effective May 17, 2004.

See: 36 N.J.R. 28(a), 36 N.J.R. 2425(a).

Section was "CWA reporting requirements for incorrect issuances".

## SUBCHAPTER 12. TABLES

### Subchapter Historical Note

Public Notice: Food stamp eligibility, deduction and coupon allotment standards.

See: 34 N.J.R. 3544(a).

Public Notice: Food Stamp Program: Notice of Food Stamp Eligibility, Deduction and Benefit Allotment Standards.

See: 37 N.J.R. 4475(b).

Public Notice: Food Stamp Program: Notice of Food Stamp Eligibility, Deduction and Benefit Allotment Standards.

See: 38 N.J.R. 3927(b).

Public Notice: Food Stamp Program: Notice of Food Stamp Eligibility, Deduction and Benefit Allotment Standards.

See: 39 N.J.R. 5375(a).

### 10:87-12.1 Income deductions

(a) The Standard Deduction shall be that calculated by the United States Department of Agriculture pursuant to 7 CFR 273.9(d)(7), published annually in the Federal Register, pursuant to 7 CFR 273.9(d)(1), and effective October 1 of each year.

(b) The Shelter Deduction shall be that calculated by the United States Department of Agriculture pursuant to 7 CFR 273.9(d)(8), published annually in the Federal Register, pursuant to 7 CFR 273.9(d)(5), and effective October 1 of each year.

(c) The Uniform Telephone Allowance shall be calculated by totaling the Verizon Telephone Company highest regional Flat Rate charge for New Jersey, the FCC subscriber line charge, wire maintenance fees, applicable Federal Tax and the AT & T monthly leasing charge for a touch-tone telephone. Deposit fees are not included in the calculation. As required by 7 C.F.R. 273.9(d)(6), DFD shall review and adjust the Uniform Telephone Allowance on July 1, to be effective October 1 of each year.

(d) The Limited Utility Allowance shall be recalculated annually by DFD effective October 1, in accordance with 7 C.F.R. 273.9(d) and the "Texas" methodology described in USDA Notice No. 79-47, issued May 25, 1979 and shall be the sum of the following:

1. The Major Non-Heating Utility component shall be calculated by collecting data from food stamp households in 1977 and 1978 to ascertain the non-heating utility expenses which those households incurred. The data shall be

arranged to project what the 95th percentile of such monthly costs are, thus arriving at a Base Period amount of \$49.00 per month. The Base Period amount shall be updated to reflect projected non-heating major utility costs by using the U.S. Bureau of Labor Statistics' Consumer Price Indices-Urban "Fuels" item for the New York/Northern New Jersey and Philadelphia metropolitan regions to create an average "New Jersey Consumer Price Index" (NJCPI-U) which represents major non-heating utility costs incurred in New Jersey urban areas. The 12 NJCPI-U statistics representing July of the previous year through June of the current year shall be trended (straight line, least squares method) to project the average non-heating index amounts for November of the current year to October of the following year. The comparison of this average to that which existed in 1977 shall produce an inflation adjustment factor to be applied to the average monthly non-heating base cost figure of \$49.00.

2. The Minor Non-Heating Utility component (representing sewerage, garbage, water, and trash) shall be calculated by collecting data from food stamp households in 1977 and 1978 to ascertain the minor non-heating utility expenses which those households incurred. The data shall be arranged to project what the 95th percentile of such costs are, thus arriving at a Base Period amount of \$1.34 per month. The Base Period amount shall be updated to reflect projected minor non-heating utility costs by using the U.S. Bureau of Labor Statistics' Consumer Price Indices-Urban "All Items" item for the New York/Northern New Jersey and Philadelphia metropolitan regions to create an average "New Jersey Consumer Price Index" (NJCPI-U) which represents minor non-heating utility costs incurred in New Jersey urban areas. The 12 NJCPI-U statistics representing July of the previous year through June of the current year shall be trended (straight line, least squares method) to project the average minor utility index amounts for November of the current year to October of the following year. The comparison of this average to that which existed in 1977 shall produce an inflation adjustment factor to be applied to the average monthly minor non-heating Base Period amount of \$1.34.

3. The Uniform Telephone Allowance described at N.J.A.C. 10:87-12.1(c) shall be a component of the LUA.

(e) The Heating and Cooling Standard Utility Allowance shall be recalculated annually by DFD effective October 1, in accordance with 7 C.F.R. 273.9(d) and the "Texas" methodology described in USDA Notice No. 79-47, issued on May 25, 1979 and shall be the sum of the following:

1. The Major Heating and Cooling Standard Utility component shall be calculated by collecting data from food stamp households in 1977 and 1978 to ascertain the heating utility expenses which those households incurred. The data

shall be arranged to project what the 75th percentile of such monthly costs are, thus arriving at a winter Base Period amount of \$128.00 to represent November through April monthly utility costs, and a summer Base Period amount of \$44.00 to represent May through October monthly utility costs. Each base period amount shall be updated to reflect heating utility costs by using the U.S. Bureau of Labor Statistics' Consumer Price Indices-Urban "Fuels" item for the New York/Northern New Jersey and Philadelphia metropolitan regions. The six NJCPI-U statistics for July through December of the previous year shall be trended (straight line, least squares method) to project the average heating index amounts for November of the current year through April of the following year. The six NJCPI-U statistics for January through June of the following year shall be trended (straight line, least squares method) to project the average heating index amounts for May through October of the following year. Each amount shall be compared to the 1977 base data, thus creating an inflation adjustment factor. Each inflation adjustment factor shall be applied to the appropriate winter or summer Base Period amount. The totals shall be averaged to arrive at the annual Heating and Cooling Standard Utility component.

2. The minor Non-Heating and Cooling Standard Utility component described at N.J.A.C. 10:87-12.1(d)2 shall be included in the HCSUA.

3. The Uniform Telephone Allowance described at N.J.A.C. 10:87-12.1(c) shall be a component of the HCSUA.

(f) The Homeless Shelter Allowance shall be that amount prescribed by the United States Department of Agriculture, as defined at 7 CFR 273.9(d)(5)(i).

Amended by R.1979 d.234, effective July 1, 1979.

See: 11 N.J.R. 346(e).

Amended by R.1979 d.387, effective October 1, 1979.

See: 11 N.J.R. 448(a), 11 N.J.R. 559(a).

Amended by R.1979 d.477, effective January 1, 1980.

See: 12 N.J.R. 42(a).

Standard Deduction was \$70.00

Amended by R.1980 d.154, effective May 1, 1980.

See: 12 N.J.R. 278(d).

Utility Allowance was \$189.00.

Amended by R.1980 d.418, effective November 1, 1980.

See: 12 N.J.R. 663(b).

SUA amended to winter rate of \$259.00

Amended by R.1980 d.558, effective January 1, 1981.

See: 13 N.J.R. 100(e).

Standard deduction was \$75.00: "Dependent" care was "child" care, \$90.00.

Amended on an emergency basis, R.1981 d.398, effective September 30, 1981 (operative October 1, 1981), exp. November 30, 1981.

See: 13 N.J.R. 769(a).

Readopted, R.1981 d.517, effective December 31, 1981.

See: 13 N.J.R. 769(a), 14 N.J.R. 103(a).

Standard utility allowance increased from "\$259.00" to "\$333.00."