

STATE OF CONNECTICUT  
DEPARTMENT OF SOCIAL SERVICES  
OFFICE OF LEGAL COUNSEL, REGULATIONS, AND ADMINISTRATIVE HEARINGS  
55 FARMINGTON AVENUE  
HARTFORD, CT 06105-3730

██████████ 2020  
Signature Confirmation

Case ID ██████████  
Client ID # ██████████  
Request #151170

NOTICE OF DECISION

PARTY

██████████  
██████████  
██████████  
██████████

PROCEDURAL BACKGROUND

On ██████████ 2020, the Department of Social Services (the “Department”) sent ██████████ (the “Appellant”) a Notice of Action (“NOA”) advising that her application for Supplemental Nutrition Assistance Program (“SNAP”) benefits was denied because she did not fully cooperate with the eligibility process.

On ██████████ 2020, the Appellant requested an administrative hearing because she disagrees with the Department’s decision.

On ██████████ ██████████ 2020, the Office of Legal Counsel, Regulations, and Administrative Hearings (“OLCRAH”) issued a notice scheduling an administrative hearing for ██████████ 2020.

On ██████████, 2020, in accordance with sections 17b-60, 17-61 and 4-176e to 4-189 inclusive, of the Connecticut General Statutes, OLCRAH held an administrative hearing regarding the issue of the denial of the SNAP benefits. The following individuals were present at the hearing:

██████████, the Appellant  
Princess O’Reggio, Hearing Liaison  
Xiomara Natal, Department’s Representative

Swati Sehgal, Hearing Officer

### **STATEMENT OF THE ISSUE**

The issue to be decided is whether the Department's decision to deny the Appellant's application for SNAP benefits was correct.

### **FINDINGS OF FACT**

1. On [REDACTED], 2019, the Appellant appeared in person at the Department's regional office to apply for SNAP benefits for herself and her three children. (Exhibit 1: Case Notes)
2. On [REDACTED] 2019, the Department conducted an interview with the Appellant. The Appellant informed the Department that she moved to Connecticut from [REDACTED], she provided a copy of her lease. The Department called her employer and confirmed the last date of employment, the Department also verified her student status, the amount of stipend she receives every ten weeks and student loans she has via the school's website on the Appellant's phone. (Exhibit 1 and Department representative's Testimony)
3. On [REDACTED] 2019, the Department informed the Appellant that the Department will contact the State of [REDACTED] to get proof of closure of benefit. (Appellant's Testimony)
4. On [REDACTED], 2019, the Department mailed the Appellant Proofs We Need Form asking for the same information that the Appellant provided during her interview. (Exhibit 2: Proofs We Need Form, Department's Representative's Testimony)
5. On [REDACTED], 2019, the Department conducted a home visit to verify the household composition. The Department's investigator recommended denying the SNAP benefits because the Appellant did not provide enough information on the absent parent. (Exhibit 2)
6. On [REDACTED] 2020, the Department denied the Appellant's application for SNAP benefits because she did not fully cooperate with the application process and no household members were eligible for the program. (Exhibit 3: Notice of Action dated [REDACTED] 2020)

7. On [REDACTED] 2020, the Department approved the Appellant's original application for SNAP benefit and the denial was overturned. (Exhibit 10: Notice of Action dated [REDACTED] 9, 2020)
8. On [REDACTED] 2020, the Department issued a Notice informing the Appellant that her Application for SNAP benefit was granted effective [REDACTED], 2019. (Exhibit 10)
9. The issuance of this decision is timely under the Code of Federal Regulations § 273.15 which states that a decision must be reached and the household notified within 60 days of receipt of a request for a fair hearing. The Appellant requested an administrative hearing on [REDACTED] 2020. This decision is due not later than [REDACTED] 2020, and therefore is timely.


### **CONCLUSIONS OF LAW**

1. Section 17b-2 of the Connecticut General Statutes, authorizes the Commissioner of the Department of Social Services to administer the SNAP in accordance with federal law.
2. "The Department's uniform policy manual is the equivalent of state regulation and, as such, carries the force of law." *Bucchere V. Rowe*, 43 Conn. Supp. 175, 178 (1994) (citing Conn. Gen. Stat. § 17b-10; *Richard v. Commissioner of Income Maintenance*, 214 Conn. 601, 573 A.2d 712 (1990)).
3. Uniform Policy Manual ("UPM") § 1570.25 (c)(2)(k) provides that the Fair Hearing Official renders a Fair Hearing decision in the name of the Department, in accordance with the Department's policies and regulations. The Fair Hearing decision is intended to resolve the dispute
4. UPM § 1570.25(F)(1) provides that the Department must consider several types of issues at an administrative hearing, including the following:
  - a. eligibility for benefits in both initial and subsequent determinations.
5. The Department has approved the Appellant's request for SNAP benefits. Thus, the Appellant has not experienced any loss of benefits.
6. The Appellant's hearing issue has been resolved; therefore, there is no issue on which to rule. "When the actions of the parties themselves cause a settling of their differences, a case becomes moot." *McDonnell v. Maher*, 3 Conn. App. 336 (Conn. App. 1985), citing *Heitmuller v. Stokes*, 256 U.S. 359, 362-3, 41 S.Ct. 522, 523-24, 65 L.Ed. 990 (1921). The service which the Appellant had

originally requested has been approved; there is no practical relief that can be afforded through an administrative hearing

**DECISION**

The Appellant's appeal is Dismissed as moot.

  
Hearing Officer

Cc: Fred Presnick, DSS Operations Manager, Bridgeport  
Yecenia Acosta, DSS Operations Manager, Bridgeport  
Tim Latifi, DSS Operations Manager, Bridgeport  
Princess O'Reggio, Hearing Liaison, Bridgeport

### **RIGHT TO REQUEST RECONSIDERATION**

The appellant has the right to file a written reconsideration request within **15** days of the mailing date of the decision on the grounds there was an error of fact or law, new evidence has been discovered or other good cause exists. If the request for reconsideration is granted, the appellant will be notified within 25 days of the request date. No response within 25 days means that the request for reconsideration has been denied. The right to request a reconsideration is based on §4-181a (a) of the Connecticut General Statutes.

Reconsideration requests should include specific grounds for the request: for example, indicate what error of fact or law, what new evidence, or what other good cause exists.

Reconsideration requests should be sent to: Department of Social Services, Director, Office of Administrative Hearings and Appeals, 55 Farmington Avenue, Hartford, CT 06105.

### **RIGHT TO APPEAL**

The appellant has the right to appeal this decision to Superior Court within 45 days of the mailing of this decision, or 45 days after the agency denies a petition for reconsideration of this decision, provided that the petition for reconsideration was filed timely with the Department. The right to appeal is based on §4-183 of the Connecticut General Statutes. To appeal, a petition must be filed at Superior Court. A copy of the petition must be served upon the Office of the Attorney General, 55 Elm Street, Hartford, CT 06106 or the Commissioner of the Department of Social Services, 55 Farmington Avenue, CT 06105. A copy of the petition must also be served on all parties to the hearing.

The 45 day appeal period may be extended in certain instances if there is good cause. The extension request must be filed with the Commissioner of the Department of Social Services in writing no later than 90 days from the mailing of the decision. Good cause circumstances are evaluated by the Commissioner or the Commissioner's designee in accordance with §17b-61 of the Connecticut General Statutes. The Agency's decision to grant an extension is final and is not subject to review or appeal.

The appeal should be filed with the clerk of the Superior Court in the Judicial District of New Britain or the Judicial District in which the appellant resides.

