

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

██████████ 2021  
Signature confirmation

Case: ██████████  
Client: ██████████  
Request: 183083

**NOTICE OF DECISION**

**PARTY**

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

**PROCEDURAL BACKGROUND**

On ██████████ 2021, the Department of Social Services (the "Department") issued ██████████ (the "Appellant") a *Notice of Action* discontinuing his Supplemental Nutrition Assistance Program ("SNAP") benefits effective ██████████ 2021.

On ██████████ 2021, the Office of Legal Counsel, Regulations, and Administrative Hearings ("OLCRAH") received the Appellant's telephoned hearing request.

On ██████████ 2021, the OLCRAH issued a notice scheduling the administrative hearing on ██████████ 2021 at 8:45 a.m. As the Appellant telephoned the telephone conference late, his call conflicted with a different individual's hearing scheduled for 9:00 a.m. The OLCRAH rescheduled the Appellant's hearing to ██████████ 2021.

On ██████████ 2021, in accordance with sections 17b-60, 17b-61 and 4-176e to 4-189, inclusive, of the Connecticut General Statutes, and Section 273.15 (a) of Title 7 of the Code of Federal Regulations ("C.F.R."), the OLCRAH held an administrative hearing by telephone conferencing. The following individuals participated:

██████████ Appellant  
Ferris Clare, Department Representative  
Eva Tar, Hearing Officer

The record closed ██████████ 2021.

## **STATEMENT OF ISSUE**

The issue is whether the Department correctly discontinued the Appellant's SNAP benefits effective [REDACTED] 2021.

## **FINDINGS OF FACT**

1. The Appellant's SNAP certification cycle ran from [REDACTED] 2020 through [REDACTED] 2021. (Department Representative Testimony)
2. The Appellant started receiving unemployment compensation when he was homeless and working in New York. (Appellant Testimony)
3. On [REDACTED] 2021, the NYS [New York State] Department of Labor notified the Appellant by email that the following federal unemployment benefits and extensions were scheduled to expire on [REDACTED] 2021: Pandemic Unemployment Assistance (PUA); \$300.00 Federal Pandemic Unemployment Compensation (FPUC) supplement; \$100.00 Mixed Earner Unemployment Compensation (MEUC) supplement; and Pandemic Emergency Unemployment Compensation (PFUC). (Appellant Exhibit A)
4. On [REDACTED] 2021, the Department received the Appellant's SNAP renewal form. (Department Exhibit 3)
5. The Appellant reported on the [REDACTED] 2021 SNAP renewal form that his unemployment compensation ended [REDACTED] 2021. (Department Exhibit 4)
6. On [REDACTED] 2021, the Department notified the Appellant that it required verification of the termination of his unemployment compensation by [REDACTED] 2021 to allow his SNAP benefits to continue. The [REDACTED] 2021 *Proofs We Need* correspondence noted that a current check stub or letter from the Department of Labor were acceptable proofs. (Department Exhibit 1)
7. From [REDACTED] 2021 through [REDACTED] 2021, the Department did not receive verification from the Appellant of the status of the Appellant's New York unemployment compensation. (Department Exhibit 3)
8. The Department does not have a computer match or process in place to independently verify the status of the Appellant's New York unemployment compensation. (Department Representative Testimony)
9. On [REDACTED], 2021, the Department terminated the Appellant's SNAP benefits effective [REDACTED] 2021, citing as the reason for termination that the renewal process had not been completed. (Department Exhibit 2)
10. On [REDACTED] 2021, the Appellant submitted the [REDACTED] 2021 email he had received from NYS Department of Labor to the Department. (Appellant Exhibit A)

11. Title 7, Code of Federal Regulations (“C.F.R.”) section 273.15 (c)(1) provides that “[w]ithin 60 days of receipt of a request for a fair hearing, the State agency shall assure that the hearing is conducted, a decision is reached, and the household and local agency are notified of the decision....” On ██████████ 2021, the OLCRAH received the Appellant’s telephoned hearing request. The issuance of this decision would have been due by ██████████ 2021. This decision is timely.

### **CONCLUSIONS OF LAW**

1. Section 17b-2 of the Connecticut General Statutes designates the Department of Social Services as the state agency for the administration of the supplemental nutrition assistance program pursuant to the Food and Nutrition Act of 2008.

**The Department has the authority under state statute to administer the SNAP in Connecticut.**

2. Title 7, Code of Federal Regulations (“C.F.R.”) Section 273.10 (f) addresses for SNAP certification periods. This section provides:

The State agency must certify each eligible household for a definite period of time. State agencies must assign the longest certification period possible based on the predictability of the household's circumstances. The first month of the certification period will be the first month for which the household is eligible to participate. The certification period cannot exceed 12 months except to accommodate a household's transitional benefit period and as specified in [paragraphs \(f\)\(1\)](#) and [\(f\)\(2\)](#) of this section.

7 C.F.R. § 273.10 (f).

**The Department correctly assigned the Appellant a SNAP certification period of 12 months when it certified the Appellant’s SNAP household from ██████████, 2020 through ██████████ 2021.**

3. “The recertification process can only be used for those households which apply for recertification prior to the end of their current certification period... The process, at a minimum, must elicit from the household sufficient information that, when added to information already contained in the casefile, will ensure an accurate determination of eligibility and benefits....” 7 C.F.R. § 273.14 (b)(2).

**As a condition of SNAP eligibility, the Department required the Appellant to comply with the Department’s recertification and verification requirements.**

4. Title 7, Code of Federal Regulations, Section 273.2 (f)(4)(i) provides:  
State agencies shall use documentary evidence as the primary source of verification for all items except residency and household size. These items may be verified either through readily available documentary evidence or through a collateral contact, without a requirement being imposed that documentary

evidence must be the primary source of verification. Documentary evidence consists of a written confirmation of a household's circumstances. Examples of documentary evidence include wage stubs, rent receipts, and utility bills. Although documentary evidence shall be the primary source of verification, acceptable verification shall not be limited to any single type of document and may be obtained through the household or other source....

7 C.F.R. § 273.2 (f)(4)(i).

“The household has primary responsibility for providing documentary evidence to support statements on the application and to resolve any questionable information.”  
“Households may supply documentary evidence in person, through the mail, by facsimile or other electronic device, or through an authorized representative....” 7 C.F.R. § 273.2 (f)(5)(i).

**The Appellant had the primary responsibility to provide documentary evidence or other acceptable verification to the Department to support his statements on the [REDACTED] 2021 SNAP renewal form.**

5. “The State agency shall provide each household at the time of application for certification and recertification with a notice that informs the household of the verification requirements the household must meet as part of the application process.”  
“At a minimum, the notice shall contain examples of the types of documents the household should provide and explain the period of time the documents should cover.”  
7 C.F.R. § 273.2 (c)(5).

“Verification is the use of documentation or a contact with a third party to confirm the accuracy of statements or information. The State agency must give households at least 10 days to provide required verification....” 7 C.F.R. § 273.2 (f).

**The Department’s [REDACTED] 2021 *Proofs We Need* correspondence met the criteria for a notice that informs a household of verification requirements and provides a deadline of at least 10 days for the submission of the verification, as contemplated at 7 C.F.R. § 273.2 (c)(5) and 7 C.F.R. § 273.2 (f).**

6. Title 7, Code of Federal Regulations, Section 273.14 (a) provides:  
*“No household may participate beyond the expiration of the certification period assigned in accordance with §273.10 (f) without a determination of eligibility for a new period.* The State agency must establish procedures for notifying households of expiration dates, providing application forms, scheduling interviews, and recertifying eligible households prior to the expiration of certification periods. Households must apply for recertification and comply with interview and verification requirements.”  
7 C.F.R. § 273.14 (a). (emphasis added)

The Appellant failed to complete the SNAP renewal process by [REDACTED] 2021, the final day of his SNAP certification period, as the Appellant did not all required proofs to the Department by that date.

The Department correctly terminated the Appellant's SNAP benefits effective [REDACTED] 2021, the final day of his certification period.

**DECISION**

The Appellant's appeal is DENIED.

*Eva Tar-electronic signature*  
Eva Tar  
Hearing Officer

Pc: Ferris Clare, DSS-New Haven  
Rachel Anderson, DSS-New Haven  
Mathew Kalarickal, DSS-New Haven  
Lisa Wells, DSS-New Haven

### **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, 165 Capitol Avenue, Hartford, CT 06106 or the Commissioner of the Department of Social Services, 55 Farmington Avenue Hartford, 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.