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

, 2021 **Signature Confirmation** Case ID # Client ID Request #184527 NOTICE OF DECISION **PARTY** PROCEDURAL BACKGROUND On I 2021, the Department of Social Services (the "Department") (the "Appellant") a Notice of Action ("NOA) denying his application for Supplemental Nutrition Assistance Program ("SNAP") benefits for failure to provide requested information. 2021, the Appellant requested an administrative hearing because he disagrees with the Department's decision. ■ 2021, the Office of Legal Counsel, Regulations, and Administrative Hearings ("OLCRAH") issued a notice scheduling administrative hearing for 2021. 2021, 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.

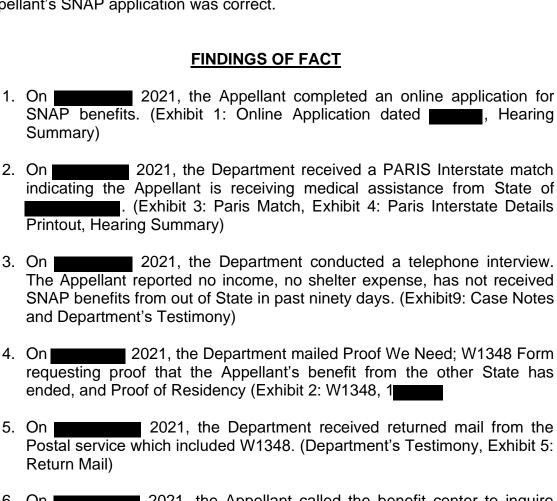
, the Appellant Melissa Prisavage, Department's Representative Swati Sehgal, Hearings Officer

The following individuals participated in the hearing:

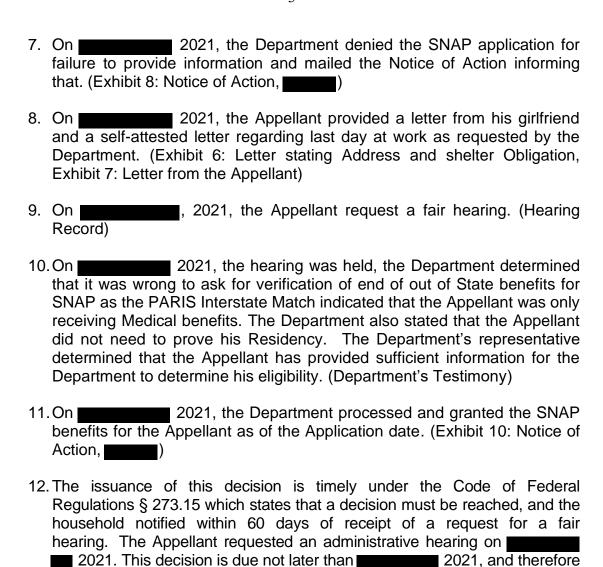
Hearing record was left open for submission of additional information and hearing record closed on 2021.

STATEMENT OF THE ISSUE

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



6. On 2021, the Appellant called the benefit center to inquire about his SNAP application. The Appellant informed the Department that he resides in 2021, this shelter expenses are paid by his girlfriend, he was working under the table, but has not worked in last eight months. The Appellant was informed to provide verification of shelter expense and Address verification, letter from his girlfriend on how she is assisting him monetarily, self-attested letter indicating the last time he worked under the table. The Department also resent the W1348 to the Appellant's address. (Exhibit 9, Appellant's Testimony)



CONCLUSIONS OF LAW

is timely.

- 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.

Swati Sehgal
Swati Sehgal
Hearing Officer

Cc: Patricia Ostroski, DSS Operations Manager, DSS, New Britain Melissa Prisavage, Hearing Liaison, DSS, New Britain

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 <u>specific</u> grounds for the request: for example, indicate <u>what</u> error of fact or law, <u>what</u> new evidence, or <u>what</u> 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, 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.