

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

██████████ 2022  
Signature confirmation

Case: ██████████  
Client: ██████████  
Request: 191121

**NOTICE OF DECISION**

**PARTY**

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

**PROCEDURAL BACKGROUND**

On ██████████ 2022, the Department of Social Services (the “Department”) issued ██████████ ██████████ (the “Appellant”) a *Notice of Action* denying her ██████████ 2022 Supplemental Nutrition Assistance Program (“SNAP”) application.

On ██████████ 2022, the Office of Legal Counsel, Regulations, and Administrative Hearings (“OLCRAH”) received the Appellant’s emailed request for an administrative hearing.

On ██████████ 2022, the OLCRAH issued a notice scheduling the administrative hearing for ██████████ 2022.

On ██████████ 2022, 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  
Eamon Nassar, Department Representative  
Eva Tar, Hearing Officer

The administrative hearing record closed ██████████ 2022.

**STATEMENT OF ISSUE**

The issue is whether the Department’s denial of the Appellant’s ██████████ 2022 SNAP application is supported by federal regulations.

### FINDINGS OF FACT

1. On [REDACTED] the Department received the Appellant's online SNAP application, electronically signed by the Appellant after business hours on [REDACTED] 2022. (Exhibit 8)
2. On the [REDACTED] 2022 SNAP application, the Appellant disclosed that she previously had received public assistance in New York.
3. On [REDACTED] 2022, the Department made two unsuccessful cold calls to the Appellant's telephone number. (Exhibit 9)
4. On [REDACTED] 2022, the Department issued a *Proofs We Need* to the Appellant requesting the submission of the following by [REDACTED] 2022 as a condition of her SNAP participation: proof of the closure of her New York benefits; proof of her gross earnings; and proof of her Connecticut residency. (Exhibit 7)
5. The [REDACTED] 2022 *Proofs We Need* stated that proof of residency could be fulfilled by the submission of any of the following: rent receipt, current lease, condo fees bill, Section 8 contract, letter from landlord, recent mail sent to her address, post office records, letter from non-relative disinterested third party, or form W-1408. Included with the correspondence were W-1408: *Landlord Verification Request* forms. (Exhibit 7)
6. The [REDACTED] 2022 *Proofs We Need* provided a telephone number and instructed the Appellant to call the Department to complete a telephone interview. (Exhibit 7)
7. The Department independently verified the Appellant's wages by means of The Work Number. (Exhibits 9 and 10)
8. On [REDACTED] 2022, the Department issued an *Interview Notice* to the Appellant, requesting that she complete a SNAP interview by [REDACTED] 2022 or her SNAP application would be denied on [REDACTED] 2022. (Exhibit 6)
9. On [REDACTED] 2022, the Department issued a *Notice of Missed Interview* to the Appellant, instructing the Appellant to complete a telephone interview by [REDACTED] 2022 by calling the Benefits Center and provided the Benefits Center's telephone toll-free number. (Exhibit 6)
10. On or around [REDACTED] 2022, the Department received a complaint alleging in part that the Appellant continued to live in New York. (Exhibit 9)
11. On [REDACTED] [REDACTED] Department investigator telephoned the Appellant in response to the [REDACTED] (Exhibit 9)
12. The Department investigator's telephone call did not include questions to the Appellant that the Department asks a SNAP applicant in an eligibility interview, such as questions involving child support, assets, citizenship, rent, daycare expenses, and income. (Department Representative Testimony)

13. It cannot be determined from the hearing record whether the Department investigator in the [REDACTED] 2022 telephone call to the Appellant: 1) identified the reason for his [REDACTED] 2022 telephone call; and 2) stated that the [REDACTED] 2022 telephone call did not meet the requirements of the telephone interview described in the Department's [REDACTED] 2022, the [REDACTED] 2022, and the [REDACTED] 2022 correspondence.
14. On [REDACTED] 2022, the Department denied the Appellant's [REDACTED] 2022 SNAP application. (Exhibit 3)
15. As of [REDACTED] the Appellant had not submitted to the Department proof of her Connecticut residency and proof of the closure of her New York SNAP benefits. (Appellant Testimony) (Department Representative Testimony)
16. 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 [REDACTED] 2022, the OLCRAH received the Appellant's emailed hearing request. The issuance of this decision would have been due no later than [REDACTED] 2022. 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 Federal SNAP in Connecticut.**

2. Title 7, Code of Federal Regulations ("C.F.R."), Section 273.2 (e)(1) provides:  
Except for households certified for longer than 12 months, and except as provided in [paragraph \(e\)\(2\)](#) of this section, households must have a face-to-face interview with an eligibility worker at initial certification and at least once every 12 months thereafter. ... The interviewer must not simply review the information that appears on the application, but must explore and resolve with the household unclear and incomplete information. The interviewer must advise households of their rights and responsibilities during the interview, including the appropriate application processing standard and the households' responsibility to report changes. ... The interviewer must conduct the interview as an official and confidential discussion of household circumstances. The State agency must protect the applicant's right to privacy during the interview....

7 C.F.R. § 273.2 (e)(1).

"The State agency may use a telephone interview instead of the face-to-face interview required in [paragraph \(e\)\(1\)](#) of this section for all applicant households, for specified categories of households, or on a case-by-case basis because of household hardship situations as determined by the State agency...." 7 C.F.R. § 273.2 (e)(2).

**The Department correctly determined that the Appellant had to complete a face-to-face or telephone interview with an eligibility worker as a condition of SNAP eligibility.**

3. Title 7, Code of Federal Regulations, Section 273.2 (e)(3) provides:  
The State agency must schedule an interview for all applicant households who are not interviewed on the day they submit their applications. ...The State agency must schedule all interviews as promptly as possible to insure eligible households receive an opportunity to participate within 30 days after the application is filed. The State agency must notify each household that misses its interview appointment that it missed the scheduled interview and that the household is responsible for rescheduling a missed interview. If the household contacts the State agency within the 30 day application processing period, the State agency must schedule a second interview. The State agency may not deny a household's application prior to the 30th day after application if the household fails to appear for the first scheduled interview....  
7 C.F.R. § 273.2 (e)(3).

**As a condition of SNAP eligibility, the Appellant was required to complete her SNAP interview with an eligibility worker by [REDACTED] 2022, the 30<sup>th</sup> day following the filing of her [REDACTED] 2022 SNAP application.**

**The Appellant's belief that her [REDACTED] 2022 conversation with a Department investigator was the required telephone interview referenced by the Department's [REDACTED] 2022, the [REDACTED] 2022, and the [REDACTED] 2022 correspondence, was reasonable, based on the proximity of the investigator's conversation to the correspondence and the [REDACTED] 2022 deadline to complete the interview requirement.**

4. "Like households participating in face-to-face interviews, households interviewed by any means other than the face-to-face interview are not exempt from verification requirements. However, the State agency may use special procedures to permit the household to provide verification and thus obtain its benefits in a timely manner, such as substituting a collateral contact in cases where documentary verification would normally be provided." 7 C.F.R. § 273.2 (e)(2)(ii).

**The Department's independent verification of the Appellant's wages by means of The Work Number is supported by 7 C.F.R. § 273.2 (e)(2)(ii).**

5. Title 7, Code of Federal Regulations, Section 273.3 (a) provides: "A household shall live in the State in which it files an application for participation. ... No individual may participate as a member of more than one household or in more than one project area, in any month, unless an individual is a resident of a shelter for battered women and children as defined in [§ 271.2](#) and was a member of a household containing the person who had abused him or her...."

**The Appellant was prohibited by 7 C.F.R. § 273.3 (a) from receiving SNAP benefits from both Connecticut and New York in the same service month.**

**The Department correctly requested proof of the closure of the Appellant's New York SNAP case.**

6. Title 7, Section 273.2 (f)(1)(vi) of the Code of Federal Regulations provides:  
**Residency.** The residency requirements of [§ 273.3](#) shall be verified except in unusual cases (such as homeless households, some migrant farmworker households, or households newly arrived in a project area) where verification of residency cannot reasonably be accomplished. Verification of residency should be accomplished to the extent possible in conjunction with the verification of other information such as, but not limited to, rent and mortgage payments, utility expenses, and identity. If verification cannot be accomplished in conjunction with the verification of other information, then the State agency shall use a collateral contact or other readily available documentary evidence. Documents used to verify other factors of eligibility should normally suffice to verify residency as well. Any documents or collateral contact which reasonably establish the applicant's residency must be accepted and no requirement for a specific type of verification may be imposed. No durational residency requirement shall be established.  
7 C.F.R. § 273.2 (f)(1)(vi).

**The Department's request for proof of the Appellant's reported address in Connecticut was both reasonable and supported by 7 C.F.R. § 273.2 (f)(1)(vi).**

7. Title 7, Code of Federal Regulations ("C.F.R.") Section 273.2 (f)(2)(i) provides that "[t]he State agency shall verify, prior to certification of the household, all other factors of eligibility which the State agency determines are questionable and affect the household's eligibility and benefit level. The State agency shall establish guidelines to be followed in determining what shall be considered questionable information...."

"The household has primary responsibility for providing documentary evidence to support statements on the application and to resolve any questionable information...." 7 C.F.R. § 273.2 (f)(5)(i).

**With respect to her [REDACTED] 2022 SNAP application, the Appellant had the primary responsibility to provide evidence to support her statements as to the closure of her New York benefits and her Connecticut residency.**

8. "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] 2022 Proofs We Need met the criteria for a notice that informed a household of verification requirements, as that criteria was described at 7 C.F.R. § 273.2 (c)(5).**

The Department's [REDACTED] 2022 *Proofs We Need* correctly provided the Appellant with at least 10 days to submit requested documents to verify her Connecticut residency.

9. "Households that are found to be ineligible shall be sent a notice of denial as soon as possible but not later than 30 days following the date the application was filed...." 7 C.F.R. § 273.2 (g)(3).

The Department's denial of the Appellant's [REDACTED] 2022 SNAP application is supported by federal regulations, as the Appellant had failed to submit proof of her Connecticut residency and proof of the closure of her New York SNAP case within 30 days of the SNAP application having been filed.

**DECISION**

The Appellant's appeal is DENIED.

*Eva Tar-electronic signature*  
Eva Tar  
Hearing Officer

cc: Eamon Nassar, DSS-Bridgeport  
Yecenia Acosta, DSS-Bridgeport  
Tim Latifi, DSS-Bridgeport  
Robert Steward, DSS-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, 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.