

STATE OF CONNECTICUT
DEPARTMENT OF SOCIAL SERVICES
OFFICE OF LEGAL COUNSEL, REGULATIONS, AND ADMINISTRATIVE HEARINGS
55 FARMINGTON AVE.
HARTFORD, CT 06105-3725

██████████, 2022
Signature Confirmation

Client ID ██████████
Case ID ██████████
Request # 191729

NOTICE OF DECISION

PARTY

██████████
██████████
██████████

PROCEDURAL BACKGROUND

On ██████████, 2022, the Department of Social Services (the “Department”) issued ██████████ (the “Appellant”) a notice of action (“NOA”).

On ██████████, 2022, the Appellant requested an Administrative Hearing to contest the calculation of the amount of benefits under the SNAP.

On ██████████, 2022, the Office of Legal Counsel, Regulations and Administrative Hearings (“OLCRAH”) issued the Appellant a notice of denial for a hearing as her request was not signed.

On ██████████, 2022, the Department issued the Appellant another NOA. The notice stated the Appellant is eligible for SNAP benefits of \$244 beginning ██████████, 2022.

On ██████████, 2022, the Appellant requested an Administrative Hearing to contest the calculation of the amount of benefits under the SNAP.

On ██████████, 2022, OLCRAH issued a notice scheduling the Administrative Hearing for ██████████, 2022.

On ██████████, 2022, the Appellant arrived at the ██████████ Office; however, the Administrative Hearing did not go forward due to a Departmental error.

On [REDACTED], 2022, OLCRAH issued a notice rescheduling the Administrative Hearing for [REDACTED], 2022.

On [REDACTED], 2022, in accordance with sections 17b-60, 17b-61 and 4-176e to 4-189 inclusive, of the Connecticut General Statutes, OLCRAH held an Administrative Hearing.

The following individuals participated in the hearing:

[REDACTED], Appellant
[REDACTED], Helper [REDACTED]
Christine Moffitt, Department Representative
Amanda Guillemette, Department Observer
Jessica Gulianello, Hearing Officer

The hearing record remained open to allow the Department time to submit additional information. Additional exhibits were received on [REDACTED], 2022, the hearing record closed accordingly.

STATEMENT OF THE ISSUE

The issue to be decided is whether the Department's calculation of the Appellant's amount of benefits under the SNAP is correct.

FINDINGS OF FACT

1. The Appellant receives SNAP benefits for herself. (Exhibit 1A: Renewal form, Exhibits 6A-6D: Federal SNAP Income Tests, Hearing Record)
2. The Appellant is age [REDACTED]. (Exhibit 1A: Renewal form, Hearing Record)
3. The Appellant has been determined to be [REDACTED]. (Appellant's Testimony)
4. The Appellant receives [REDACTED]. The [REDACTED] amount increased from \$794 to \$841 effective [REDACTED] 2022. (Exhibits 6A-6D: Federal SNAP Income Tests, Exhibit 10: [REDACTED] Income Details)
5. The Appellant is a recipient of a [REDACTED] Housing [REDACTED]. (Exhibit 1B: [REDACTED] Rent [REDACTED], Hearing Record)
6. On [REDACTED], the Department received a Notice of Rent Adjustment dated [REDACTED], 2021. The notice verified the Appellant's [REDACTED] rent is \$775 per month. The [REDACTED] decreased from \$594 to \$580

resulting in an increase in [REDACTED] rent from \$181 to \$195 effective [REDACTED], 2022. (Exhibit 1B: [REDACTED] Rent [REDACTED], Exhibit 4: Case Notes, Hearing Record)

7. The Appellant is responsible to pay utility expenses separately from her rent. (Appellant's Testimony)
8. The Department determined the Appellant is eligible for the Standard Utility Allowance ("SUA") shelter expense deduction. (Exhibits 6A-6D: Federal SNAP Income Tests)
9. The Appellant does not have any out-of-pocket medical expenses. (Appellant's Testimony)
10. On [REDACTED], 2022, the Department updated the Appellant's rent [REDACTED] from \$159 to \$195 in the Department's online eligibility management system ("ImpaCT"). (Exhibit 4: Case Notes, Department's Testimony)
11. On [REDACTED], 2022, the Department issued the Appellant an NOA advising the SNAP amount increased from \$233 to \$244 effective [REDACTED], 2022. (Exhibit 7A: NOA, Hearing Record)
12. On [REDACTED], 2022, the Department received the Appellant's request for an Administrative Hearing.
13. On [REDACTED], 2022, the Department discovered the Appellant reported a rental change on the W1ER: Renewal of Eligibility form ("W-1ER") received in ImpaCT on [REDACTED], 2021. The Department verified the change had not been updated in ImpaCT accordingly. (Exhibit 4: Case Notes, Department's Testimony)
14. On [REDACTED], 2022, the Department historically updated the Appellant's rent honoring her reported date of [REDACTED] 2021 in ImpaCT. (Exhibit 3: Shelter Expenses, Exhibit 4: Case Notes, Department's Testimony)
15. On [REDACTED], 2022, the Department issued the Appellant an NOA stating she was determined eligible for the following SNAP benefits: [REDACTED]/2021: \$250, [REDACTED]/2022: \$244, ([REDACTED]/2022 not reflected) and [REDACTED]/2022 and ongoing: \$244. (Exhibit 7B: NOA)
16. On [REDACTED], 2022, the Department entered a case note stating, "no change in SNAP benefits." (Exhibit 4: Case Notes)
17. The Benefit Issuance record confirms the Appellant was issued the following SNAP benefits:

██████████ 2021	██████████/21: \$250 ██████████/21: \$95
██████████ 2022	██████████/2022: \$233 ██████████/2022: \$95
██████████ 2022	██████████/22: \$233 ██████████/22: \$95
██████████ 2022	██████████/22: \$244 ██████████/22: \$95
██████████ 2022	██████████/22: \$244 ██████████/22: \$95

(Exhibit 9: Benefit Issuance)

18. 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 ██████████, 2022. This decision, therefore, was due no later than ██████████ 2022. The hearing, however, which was originally scheduled for ██████████, 2022, was rescheduled for ██████████, 2022, at the request of the Appellant due to the fault of the Department which caused a █-day delay. Furthermore, the hearing record which had been anticipated to close on ██████████, 2022, did not close for the admission of evidence until ██████████, 2022, at the Department’s request which caused an additional █-day delay. Because the █-day delay arose from the Department the final decision remained due no later than ██████████, 2022, and is therefore timely. (Hearing Record)

CONCLUSIONS OF LAW

1. Section 17b-2(7) of the Connecticut General Statutes (“Conn. Gen. Stats.”) provides the following: “The Department of Social Services is designated 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 to administer the SNAP.

2. Title 7 of the Code of Federal Regulations (“C.F.R.”) Section 273.1(a) provides the following: *General household definition*. A household is composed of one of the following individuals or groups of individuals, unless otherwise specified in paragraph (b) of this section: (1) An individual living alone; (2) An individual living with others, but customarily purchasing food and preparing meals for home consumption separate and apart from others; or (3) A group of individuals who live together and customarily purchase food and prepare meals together for home consumption.

The Department complied with Federal Regulation and correctly determined the SNAP household comprised of one individual.

3. 7 C.F.R. § 271.2 provides the following: *Elderly or disabled member* means a member of a household who:
 1. Is 60 years of age or older;
 2. Receives supplemental security income benefits under title XVI of the Social Security Act or disability or blindness payments under titles I, II, X, XIV, or XVI of the Social Security Act;
 3. Receives federally or State-administered supplemental benefits under section 1616(a) of the Social Security Act provided that the eligibility to receive the benefits is based upon the disability or blindness criteria used under title XVI of the Social Security Act;
 4. Receives federally or State-administered supplemental benefits under section 212(a) of Pub. L. 93-66;
 5. Receives disability retirement benefits from a governmental agency because of a disability considered permanent under section 221(i) of the Social Security Act.
 6. Is a veteran with a service-connected or non-service-connected disability rated by the Veteran's Administration (VA) as total or paid as total by the VA under title 38 of the United States Code;
 7. Is a veteran considered by the VA to be in need of regular aid and attendance or permanently housebound under title 38 of the United States Code;
 8. Is a surviving spouse of a veteran and considered by the VA to be in need of regular aid and attendance or permanently housebound or a surviving child of a veteran and considered by the VA to be permanently incapable of self-support under title 38 of the United States Code;
 9. Is a surviving spouse or surviving child of a veteran and considered by the VA to be entitled to compensation for a service-connected death or pension benefits for a nonservice-connected death under title 38 of the United States Code *and* has a disability considered permanent under section 221(i) of the Social Security Act. “Entitled” as used in this definition refers to those veterans' surviving spouses and surviving children who are receiving the compensation or pension benefits stated or have been approved for such payments, but are not yet receiving them; or

10. Receives an annuity payment under: section 2(a)(1)(iv) of the Railroad Retirement Act of 1974 *and* is determined to be eligible to receive Medicare by the Railroad Retirement Board; or section 2(a)(1)(v) of the Railroad Retirement Act of 1974 and is determined to be disabled based upon the criteria used under title XVI of the Social Security Act.
11. Is a recipient of interim assistance benefits pending the receipt of Supplemented Security Income, a recipient of disability related medical assistance under title XIX of the Social Security Act, or a recipient of disability-based State general assistance benefits *provided* that the eligibility to receive any of these benefits is based upon disability or blindness criteria established by the State agency which are at least as stringent as those used under title XVI of the Social Security Act (as set forth at 20 CFR part 416, subpart I, Determining Disability and Blindness as defined in Title XVI).

The Department complied with Federal Regulation and correctly determined the Appellant has been determined [REDACTED] and she is a recipient of [REDACTED].

4. 7 C.F.R. § 273.9(b) provides the following: *Definition of income*. Household income shall mean all income from whatever source excluding only items specified in paragraph (c) of this section.

7 C.F.R. § 273.9(b)(2) provides the following: Unearned income shall include, but not be limited to:

(i) Assistance payments from Federal or federally aided public assistance programs, such as supplemental security income (SSI) or Temporary Assistance for Needy Families (TANF); general assistance (GA) programs (as defined in § 271.2); or other assistance programs based on need. Such assistance is considered to be unearned income even if provided in the form of a vendor payment (provided to a third party on behalf of the household), unless the vendor payment is specifically exempt from consideration as countable income under the provisions of paragraph (c)(1) of this section. Assistance payments from programs which require, as a condition of eligibility, the actual performance of work without compensation other than the assistance payments themselves, shall be considered unearned income.

(ii) Annuities; pensions; retirement, veteran's, or disability benefits; worker's or unemployment compensation including any amounts deducted to repay claims for intentional program violations as provided in § 272.12; old-age, survivors, or social security benefits; strike benefits; foster care payments for children or adults who are considered members of the household; gross income minus the cost of doing business derived from rental property in which a household member is not actively engaged in the management of the property at least 20 hours a week.

The Department complied with Federal Regulation and correctly determined the Appellant's ■■■ benefits are countable income for the SNAP.

5. 7 C.F.R § 273.9(d)(6)(ii) provides the following: *Excess shelter deduction*. Monthly shelter expenses in excess of 50 percent of the household's income after all other deductions in paragraphs (d)(1) through (d)(5) of this section have been allowed. If the household does not contain an elderly or disabled member, as defined in § 271.2 of this chapter, the shelter deduction cannot exceed the maximum shelter deduction limit established for the area. For fiscal year 2001, effective March 1, 2001, the maximum monthly excess shelter expense deduction limits are \$340 for the 48 contiguous States and the District of Columbia, \$543 for Alaska, \$458 for Hawaii, \$399 for Guam, and \$268 for the Virgin Islands. FNS will set the maximum monthly excess shelter expense deduction limits for fiscal year 2002 and future years by adjusting the previous year's limits to reflect changes in the shelter component and the fuels and utilities component of the Consumer Price Index for All Urban Consumers for the 12 month period ending the previous November 30. FNS will notify State agencies of the amount of the limit. Only the following expenses are allowable shelter expenses:

(A) Continuing charges for the shelter occupied by the household, including rent, mortgage, condo and association fees, or other continuing charges leading to the ownership of the shelter such as loan repayments for the purchase of a mobile home, including interest on such payments.

(B) Property taxes, State and local assessments, and insurance on the structure itself, but not separate costs for insuring furniture or personal belongings.

(C) The cost of fuel for heating; cooling (i.e., the operation of air conditioning systems or room air conditioners); electricity or fuel used for purposes other than heating or cooling; water; sewerage; well installation and maintenance; septic tank system installation and maintenance; garbage and trash collection; all service fees required to provide service for one telephone, including, but not limited to, basic service fees, wire maintenance fees, subscriber line charges, relay center surcharges, 911 fees, and taxes; and fees charged by the utility provider for initial installation of the utility. One-time deposits cannot be included.

(D) The shelter costs for the home if temporarily not occupied by the household because of employment or training away from home, illness, or abandonment caused by a natural disaster or casualty loss. For costs of a home vacated by the household to be included in the household's shelter costs, the household must intend to return to the home; the current occupants of the home, if any, must not be claiming the shelter costs for SNAP purposes; and the home must not be leased or rented during the absence of the household.

(E) Charges for the repair of the home which was substantially damaged or destroyed due to a natural disaster such as a fire or flood. Shelter costs shall not

include charges for repair of the home that have been or will be reimbursed by private or public relief agencies, insurance companies, or from any other source.

The Department complied with Federal Regulation and correctly determined the Appellant is eligible for a shelter expense deduction absent of a shelter hardship cap [REDACTED].

6. 7 C.F.R § 273.9(d)(6)(iii) provides the following: *Standard utility allowances*. (A) With FNS approval, a State agency may develop the following standard utility allowances (standards) to be used in place of actual costs in determining a household's excess shelter deduction: an individual standard for each type of utility expense; a standard utility allowance for all utilities that includes heating or cooling costs (HCSUA); and, a limited utility allowance (LUA) that includes electricity and fuel for purposes other than heating or cooling, water, sewerage, well and septic tank installation and maintenance, telephone, and garbage or trash collection. The LUA must include expenses for at least two utilities. However, at its option, the State agency may include the excess heating and cooling costs of public housing residents in the LUA if it wishes to offer the lower standard to such households. The State agency may use different types of standards but cannot allow households the use of two standards that include the same expense. In States in which the cooling expense is minimal, the State agency may include the cooling expense in the electricity component. The State agency may vary the allowance by factors such as household size, geographical area, or season. Only utility costs identified in paragraph (d)(6)(ii)(C) of this section must be used in developing standards.

The Department complied with Federal Regulation and correctly determined the Appellant was eligible for the SUA shelter expense deduction.

7. 7 C.F.R. § 273.9(d)(3) provides the following: *Excess medical deduction*. That portion of medical expenses in excess of \$35 per month, excluding special diets, incurred by any household member who is elderly or disabled as defined in §271.2. Spouses or other persons receiving benefits as a dependent of the SSI or disability and blindness recipient are not eligible to receive this deduction but persons receiving emergency SSI benefits based on presumptive eligibility are eligible for this deduction.

The Department correctly determined the Appellant does not have out-of-pocket medical expenses at this time.

8. 7 C.F.R § 273.12(c) provides the following: *State agency action on changes*. The State agency shall take prompt action on all changes to determine if the change affects the household's eligibility or allotment. However, the State agency has the option to disregard a reported change to an established deduction in accordance with paragraph (c)(4) of this section. If a household reports a change in income,

and the new circumstance is expected to continue for at least one month beyond the month in which the change is reported, the State agency may act on the change in accordance with paragraphs (c)(1) and (c)(2) of this section. The time frames in paragraphs (c)(1) and (c)(2) of this section apply to these actions. During the certification period, the State agency shall not act on changes in the medical expenses of households eligible for the medical expense deduction which it learns of from a source other than the household and which, in order to take action, require the State agency to contact the household for verification. The State agency shall only act on those changes in medical expenses that it learns about from a source other than the household if those changes are verified upon receipt and do not necessitate contact with the household. Even if there is no change in the allotment, the State agency shall document the reported change in the casefile, provide another change report form to the household, and notify the household of the receipt of the change report. If the reported change affects the household's eligibility or level of benefits, the adjustment shall also be reported to the household. The State agency shall also advise the household of additional verification requirements, if any, and state that failure to provide verification shall result in increased benefits reverting to the original allotment. The State agency shall document the date a change is reported, which shall be the date the State agency receives a report form or is advised of the change over the telephone or by a personal visit. Restoration of lost benefits shall be provided to any household if the State agency fails to take action on a change which increases benefits within the time limits specified in paragraph (c)(1) of this section.

7 C.F.R § 273.12(c)(1) provides the following: *Increase in benefits.* (i) For changes which result in an increase in a household's benefits, other than changes described in paragraph (c)(1)(ii) of this section, the State agency shall make the change effective no later than the first allotment issued 10 days after the date the change was reported to the State agency. For example, a \$30 decrease in income reported on the 15th of May would increase the household's June allotment. If the same decrease were reported on May 28, and the household's normal issuance cycle was on June 1, the household's allotment would have to be increased by July.

The Appellant provided proof of her [REDACTED] rent [REDACTED] that was received by the Department on [REDACTED], 2022.

The Department complied with Federal Regulation and correctly updated the Appellant's rental expense timely on [REDACTED], 2022. The change generated an NOA informing the Appellant of an increase in the SNAP amount as of [REDACTED] 2022.

The Department subsequently historically updated the Appellant's rent dating back to [REDACTED] 2021 generating a second NOA issued on [REDACTED], 2022.

9. Section 2302(a)(1) of the Families First Coronavirus Response Act of 2020, allows States to request COVID-19 Emergency Allotments (EA) “for households participating in the supplemental nutrition assistance program to address temporary food needs.” Pursuant to the interpretation that is explained in detail in “FNS Determination of Enhanced Emergency Allotments April 1, 2021” and hereby incorporated by reference, FNS has adopted the following policy approach. States shall calculate EA as follows: EA Minimum Benefit 1. Determine the household’s base SNAP benefit level using the current temporary level of 115 percent of TFP. 2. EA is the difference between the SNAP household’s base benefit calculation and the maximum benefit for the household size; except that 3. All households receive EA of at least \$95 a) Those households currently receiving \$95 or more will continue to receive that same amount—no change in EA for these households b) Those households receiving the maximum base SNAP benefit for their household size at the current temporary level of 115 percent of TFP will receive EA of \$95 per month. c) Those households with a calculated EA amount less than \$95 will receive EA totaling \$95 per month. See “Emergency Allotment Guidance” memo issued on April 1, 2021, by FNS.

The Department complied with the [REDACTED] Act of 2020 and correctly issued [REDACTED] SNAP benefits to the Appellant in the amount of \$95 per month.

10. 7 C.F.R. § 273.10(e)(1)(i) provides the following: *Calculating net income and benefit levels-(1) Net monthly income.* To determine a household’s net monthly income, the State agency shall:
- A. Add the gross monthly income earned by all household members and the total monthly unearned income of all household members, minus income exclusions, to determine the household's total gross income. Net losses from the self-employment income of a farmer shall be offset in accordance with §273.11(a)(2)(iii).
 - B. Multiply the total gross monthly earned income by 20 percent and subtract that amount from the total gross income; or multiply the total gross monthly earned income by 80 percent and add that to the total monthly unearned income, minus income exclusions. If the State agency has chosen to treat legally obligated child support payments as an income exclusion in accordance with §273.9(c)(17), multiply the excluded earnings used to pay child support by 20 percent and subtract that amount from the total gross monthly income.
 - C. Subtract the standard deduction.
 - D. If the household is entitled to an excess medical deduction as provided in §273.9(d)(3), determine if total medical expenses exceed \$35. If so, subtract that portion which exceeds \$35.
 - E. Subtract allowable monthly dependent care expenses if, any, as specified under § 273.9(d)(4) for each dependent.
 - F. If the State agency has chosen to treat legally obligated child support payments as a deduction rather than an exclusion in accordance with § 273.9(d)(5),

- subtract allowable monthly child support payments in accordance with § 273.9(d)(5).
- G. Subtract the homeless shelter deduction, if any, up to the maximum of \$143.
 - H. Total the allowable shelter expenses to determine shelter costs, unless a deduction has been subtracted in accordance with paragraph (e)(1)(i)(G) of this section. Subtract from total shelter costs 50 percent of the household's monthly income after all the above deductions have been subtracted. The remaining amount, if any, is the excess shelter cost. If there is no excess shelter cost, the net monthly income has been determined. If there is excess shelter cost, compute the shelter deduction according to paragraph (e)(1)(i)(I) of this section.
 - I. Subtract the excess shelter cost up to the maximum amount allowed for the area (unless the household is entitled to the full amount of its excess shelter expenses) from the household's monthly income after all other applicable deductions. Households not subject to a capped shelter expense shall have the full amount exceeding 50 percent of their net income subtracted. The household's net monthly income has been determined.

7 C.F.R. § 273.10(e)(1)(ii) (A) provides the following: “In calculating net monthly income, the State agency shall use one of the following two procedures: “Round down each income and allotment calculation that ends in 1 through 49 cents and round up each calculation that ends in 50 through 99 cents.”

7 C.F.R § 273.10(e)(2) (i) (A) Households which contain an elderly or disabled member as defined in § 271.2, shall have their net income, as calculated in paragraph (e)(1) of this section (except for households considered destitute in accordance with paragraph (e)(3) of this section), compared to the monthly income eligibility standards defined in § 273.9(a)(2) for the appropriate household size to determine eligibility for the month.

7 C.F.R.§ 273.10(e)(2)(ii)(A) provides the following: Except as provided in paragraphs (a)(1), (e)(2)(iii) and (e)(2)(vi) of this section, the household's monthly allotment shall be equal to the maximum SNAP allotment for the household's size reduced by 30 percent of the household's net monthly income as calculated in paragraph (e)(1) of this section. If 30 percent of the household's net income ends in cents, the State agency shall round in one of the following ways: (1) “The State agency shall round the 30 percent of net income up to the nearest higher dollar”.

7 C.F.R.§ 273.10(e)(4) provides the following: Thrifty Food Plan (TFP) and Maximum SNAP Allotments. (i) Maximum SNAP allotment level. Maximum SNAP allotments shall be based on the TFP as defined in §271.2, and they shall be uniform by household size throughout the 48 contiguous States and the District of Columbia. The TFP for Hawaii shall be the TFP for the 48 States and DC adjusted for the price of food in Honolulu. The TFPs for urban, rural I,

and rural II parts of Alaska shall be the TFP for the 48 States and DC adjusted by the price of food in Anchorage and further adjusted for urban, rural I, and rural II Alaska as defined in §272.7(c). The TFPs for Guam and the Virgin Islands shall be adjusted for changes in the cost of food in the 48 States and DC, provided that the cost of these TFPs may not exceed the cost of the highest TFP for the 50 States. The TFP amounts and maximum allotments in each area are adjusted annually and will be prescribed in a table posted on the FNS web site, at www.fns.usda.gov/fsp.

SNAP CALCULATION EFFECTIVE [REDACTED] 2022:

COUNTABLE INCOME	
Earned Income:	\$0
Unearned Income: [REDACTED]	\$841
Total Income	\$841
Minus standard deduction (For a household of 3)	-\$177
Minus child support expenses	\$664
Minus medical expenses in excess of \$35 (only if age 60 and older or disabled)	\$0
Adjusted Gross Income	=\$664
<u>SHELTER COSTS</u>	
Rent	\$195
SUA	\$783
Total shelter costs	\$978
<u>SHELTER HARDSHIP</u>	
Shelter costs	\$978
Less 50% of adjusted gross income	\$332
Total shelter hardship	\$646 (Cannot exceed \$569 unless elderly or disabled)
<u>NET ADJUSTED INCOME</u>	
Adjusted gross income	\$664
Less shelter hardship	\$646

Net Adjusted Income ("NAI")	\$18
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan Amount for Three SNAP Members	\$250
Less 30% of NAI (rounded up)	(\$18 x .3)= \$5.40 Rounded up to \$6
SNAP award Calculation: Thrifty Food Plan: - 30% NAI= SNAP Amount	\$250-6= \$244

The above calculation confirms the Department complied with Federal Regulation and correctly calculated the Appellant's monthly SNAP benefit as \$244 per month beginning [REDACTED], 2022, in response to the rental [REDACTED] notice received on [REDACTED], 2022. Furthermore, the benefit issuance record confirms SNAP was paid in this amount respectively for the months of [REDACTED] 2022 and [REDACTED] 2022.

SNAP CALCULATION EFFECTIVE [REDACTED] 2022:

<u>COUNTABLE INCOME</u>	
Earned Income:	\$0
Unearned Income: [REDACTED]	\$841
Total Income	\$841
Minus standard deduction (For a household of 3)	-\$177
Minus child support expenses	\$664
Minus medical expenses in excess of \$35 (only if age 60 and older or disabled)	\$0
Adjusted Gross Income	=\$664
<u>SHELTER COSTS</u>	
Rent	\$181
SUA	\$783
Total shelter costs	\$964
<u>SHELTER HARDSHIP</u>	

Shelter costs	\$964
Less 50% of adjusted gross income	\$332
Total shelter hardship	\$632 (Cannot exceed \$569 unless elderly or disabled)
<u>NET ADJUSTED INCOME</u>	
Adjusted gross income	\$664
Less shelter hardship	\$632
Net Adjusted Income ("NAI")	\$32
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan Amount for Three SNAP Members	\$250
Less 30% of NAI (rounded up)	(\$32 x .3)= \$9.60 Rounded up to \$10
SNAP award Calculation: Thrifty Food Plan: - 30% NAI= SNAP Amount	\$250-10= \$240

The above calculation confirms the Appellant is entitled to SNAP benefits in the amount of \$240 for the months of █████ 2022 and █████ 2022. The NOA issued on █████, 2022, also reflects the Appellant was approved for SNAP in the amount of \$240 for █████ 2022 (the month of █████ 2022 is not reflected on the NOA). Despite the SNAP amount being correctly historically recalculated the benefit history record confirms no additional SNAP benefits have been issued to the Appellant for these █████ months in question.

DECISION

The Department correctly calculated the Appellant's benefits under the SNAP effective █████, 2022.

The Department incorrectly calculated the Appellant's benefits under the SNAP for the months of █████ 2022 and █████ 2022.

The Appellant's appeal is DENIED with respect to the SNAP amounts for █████ 2022 and ongoing.

The Appellant's appeal is GRANTED with respect to the SNAP amounts for [REDACTED] 2022 and [REDACTED] 2022.

ORDER

1). The Appellant was issued SNAP benefits in the amount of \$233 for the month of [REDACTED] 2022. The Appellant is entitled to SNAP benefits in the amount of \$240 for this month. The Department must issue the Appellant additional SNAP benefits in the amount of \$7 for the month of [REDACTED] 2022.

2). The Appellant was issued SNAP benefits in the amount of \$233 for the month of [REDACTED] 2022. The Appellant is entitled to SNAP benefits in the amount of \$240 for this month. The Department must issue the Appellant additional SNAP benefits in the amount of \$7 for the month of [REDACTED] 2022.

3). Compliance is due within 14 days of the date of this decision.

Jessica Gulianello

Jessica Gulianello
Fair Hearing Officer

CC: Cheryl Stuart-SSOM, DSS RO # 40
Tonya Beckford-SSOM, Christine Moffit, DSS RO # 42

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.