

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

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

██████████
██████████
Request # 196610

NOTICE OF DECISION

PARTY

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PROCEDURAL BACKGROUND

On ██████████ 2022, the Department of Social Services (the "Department") sent ██████████ (the "Appellant"), a Notice of Action ("NOA) granting expedited Supplemental Nutrition Assistance Program ("SNAP") benefits for ██████████ 2022 only.

On ██████████, 2022, the Appellant requested an administrative hearing to contest the Department's action.

On ██████████, 2022, the Office of Legal Counsel, Regulations, and Administrative Hearings ("OLCRAH") issued a notice scheduling a telephonic administrative hearing for ██████████, 2022.

On ██████████ 2022, in accordance with sections 17b-60, 17-61 and 4-176e to 4-189 inclusive, of the Connecticut General Statutes ("Conn. Gen. Stat."), OLCRAH held an administrative hearing. The following individuals participated in the hearing:

██████████, Appellant
Shannon Slash, Department's Representative
Carla Hardy, Hearing Officer

STATEMENT OF THE ISSUE

The issue to be decided is whether the Department correctly granted SNAP for [REDACTED] 2022 only.

FINDINGS OF FACT

1. The Appellant's SNAP certification period ended on [REDACTED], 2022. Her SNAP benefits were terminated effective [REDACTED] 2022, for failure to complete the renewal. (Hearing Summary)
2. On [REDACTED] 2022, the Department received the Appellant's renewal form. The Appellant reported her rent is \$975.00 monthly and that she does not have a source of income. (After Hearing Exhibit 10: Renewal Document; Hearing Summary)
3. On [REDACTED] 2022, the Department notified the Appellant that she must complete the SNAP interview by [REDACTED] 2022. They also requested proof of her shelter expenses that included proof of how she pays the expenses when she reported no household income. (Exhibit 1: Proofs We Need, [REDACTED]/22; After Hearing Exhibit 11: Interview Notice)
4. On [REDACTED] 2022, the Department approved the Appellant for expedited SNAP benefits for [REDACTED]e 2022. The Appellant was notified that she must be interviewed by [REDACTED], 2022, and supply the required proofs by [REDACTED], 2022, to continue receiving SNAP after [REDACTED], 2022. (Exhibit 2: NOA, [REDACTED]/22)
5. On [REDACTED], 2022, the Department reminded the Appellant that she did not complete her interview. (Exhibit 3: Notice of Missed Interview, [REDACTED]/22)
6. On [REDACTED], 2022, the Department received an unsigned document reporting the Appellant's rent is \$1,000.00 monthly. The Appellant also requested an administrative hearing. (Exhibit 4: Landlord Verification Request; Exhibit 5: Hearing Request; Hearing Record)
7. On [REDACTED] 2022, the Appellant completed the telephone interview. The Department informed the Appellant that the Landlord Verification Request that she submitted was not acceptable. They mailed another request for proof of the Appellant's shelter expenses. (Exhibit 7: Proofs We Need, [REDACTED]/22; Hearing Summary)
8. On [REDACTED], 2022, the Appellant mailed the requested information to the Department. She did not provide it earlier because she did not have a ride to the Department's office. (Appellant's Testimony)

9. The issuance of this decision is timely under the Code of Federal Regulations (“C.F.R.”) § 273.15 which states that a decision must be reached, and the household notified within 60 days of receipt of a request for a hearing. The Appellant requested an administrative hearing on [REDACTED], 2022. Therefore, this decision is due not later than [REDACTED], 2022. (Hearing Record)

CONCLUSIONS OF LAW

1. Section 17b-2 of the Connecticut General Statutes provides that 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.
2. Title 7 of the C.F.R. Section 273.2(c)(5) provides that 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. The notice shall also inform the household of the State agency’s responsibility to assist the household in obtaining required verification provided the household is cooperating with the State agency as specified in (d) (1) of this section. The notice shall be written in clear and simple language and shall meet the bilingual requirements designated in § 272.4 (b) of this chapter. At a minimum, the notice shall contain examples of the types of documents the household should provide and explain the period to time the documents should cover.

The Department correctly notified the Appellant that additional proofs were required to determine her eligibility.

3. Title 7 C.F.R. § 273.14(a) provides that 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.

The Department correctly determined that the Appellant’s certification period terminated on [REDACTED], 2022, and accepted her [REDACTED] 2022, renewal document for reapplication.

4. Title 7 C.F.R. § 273.14(b)(3) provides that as part of the recertification process, the State agency must conduct an interview with a member of the household or its authorized representative at least once every 12 months for households certified for 12 months or less. The provisions of §273.2(e) also apply to interviews for recertification. The State agency may choose not to

interview the household at interim recertification within the 12-month period. The requirement for an interview once every 12 months may be waived in accordance with §273.2(e)(2).

Title 7 C.F.R. § 273.2(i)(4)(iii) provides for households applying on or before the 15th of the month, the State agency may assign a one-month certification period or assign a normal certification period. Satisfaction of the verification requirements may be postponed until the second month of participation. If a one-month certification period is assigned, the notice of eligibility may be combined with the notice of expiration or a separate notice may be sent. The notice of eligibility must explain that the household has to satisfy all verification requirements that were postponed. For subsequent months, the household must reapply and satisfy all verification requirements which were postponed or be certified under normal processing standards. If the household does not satisfy the postponed verification requirements and does not appear for the interview, the State agency does not need to contact the household again.

The Department correctly assigned a one-month certification period ending on [REDACTED], 2022.

The Department correctly determined that the Appellant did not complete the interview by the end of the [REDACTED], 2022, certification period.

The Department correctly determined that the Appellant did not provide the required verifications by the end of the [REDACTED], 2022, certification period.

On [REDACTED] 2022, the Department correctly granted SNAP benefits for the month of [REDACTED] 2022 only because the Appellant did not complete the eligibility process.

DECISION

The Appellant's appeal is **DENIED**.


Carla Hardy
Hearing Officer

Pc: Rachel Anderson, Mathew Kalarickal, Lisa Wells, Operations Managers,
Shannon Shlash, Hearing Liaison, Department of Social Services, New Haven
Office

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.