

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 # 201226

NOTICE OF DECISION

PARTY

██████████
██████████
██████████

PROCEDURAL BACKGROUND

On ██████████ 2022, the Department of Social Services (“Department”) Investigations & Recoveries Division (“Investigation Unit”) made a request for an Administrative Disqualification Hearing (“ADH”) to seek disqualification of ██████████ (the “Defendant”) from participation in the Supplemental Nutrition Assistance Program (“SNAP”) for twelve (12) months. The Department alleges that the Defendant committed an Intentional Program Violation (“IPV”) by failing to disclose the correct household composition. The Department also seeks to recover overpaid SNAP benefits of \$1,332.00.

On ██████████ 2022, the Office of Legal Counsel, Regulations and Administrative Hearings (“OLCRAH”) mailed the Defendant notification of the initiation of the ADH process (the “hearing notice”) scheduled for ██████████ 2022, which included notification of his rights in these proceedings via certified mail.

On ██████████ 2022, the United States Postal Service delivered the hearing notice to the Defendant’s address, ██████████.

On ██████████ 2022, OLCRAH conducted the ADH in accordance with section 17b-88 of the Connecticut General Statutes and Title 7 of the Code of Federal Regulations section 273.16 subsection (e).

PRESENT AT THE HEARING

Dominic Laird, Department Representative
 Lisa Nyren, Fair Hearing Officer
 Amy MacDonough, Fair Hearing Officer and Observation Only

STATEMENT OF THE ISSUE

The issue to be decided is whether the Defendant committed an intentional program violation (“IPV”) of the SNAP and subject to a twelve (12) month disqualification penalty under the SNAP.

A secondary issue to be decided is whether the Department’s proposal to recoup a SNAP overpayment of \$1,332.00 for the period [REDACTED], 2019 through [REDACTED] [REDACTED] 2022 is correct.

FINDINGS OF FACT

1. The Defendant was born on [REDACTED], social security number xxx-xx-[REDACTED] (Hearing Record)
2. [REDACTED] (“spouse”) was born on [REDACTED] social security number xxx-xx-[REDACTED] (Hearing Record)
3. [REDACTED] (the “son”) is the son of the Defendant and spouse born on [REDACTED] social security number xxx-xx-[REDACTED] (Hearing Record)
4. On [REDACTED] the Defendant married the spouse. (Exhibit 23: Investigator Statement of Marriage)
5. The Defendant lives at [REDACTED] (“home address”). (Hearing Record)
6. [REDACTED] is the sole owner of the property at the home address. (Exhibit 11: Assessor Printout)
7. The Department authorized SNAP benefits for a household of one, the Defendant, for a twelve (12) month certification period beginning [REDACTED], 2018 and ending on [REDACTED], 2019. (Exhibit 41: SNAP EDG Summary)
8. On [REDACTED] [REDACTED] 2019 the Defendant began working for [REDACTED] [REDACTED] (“temporary agency”), a temporary

employment agency. The Defendant's last assignment ended [REDACTED] 2019. The Defendant earned the following gross monthly pay from the temporary agency for the period [REDACTED] 2019 through [REDACTED] 2019:

- [REDACTED] \$508.40
- [REDACTED] \$2,273.62
- [REDACTED] \$1,849.18
- [REDACTED] \$1,733.26
- [REDACTED] \$240.00
- [REDACTED] \$00.00
- [REDACTED] \$2,418.90
- [REDACTED] \$844.50

(Exhibit 6: Defendant Employment Verification)

9. On [REDACTED] 2019, the Department received the Defendant's renewal document requesting continued benefits under the SNAP for himself. The renewal document listed household members as the Defendant and his marital status as divorced. The Defendant indicated no changes to household members and updated his marital status to single. The Defendant failed to list employment with the temporary agency. The Defendant signed and dated the renewal document on [REDACTED] 2019. (Exhibit 26: Renewal Document [REDACTED] and Exhibit 34: Case Notes Details)
10. On [REDACTED] 2019, the Department completed the renewal interview with the Defendant. The Defendant reported he resides with his parents, confirmed no child support paid and no rental or utility obligation. The Defendant reported temporary work assignment with the temporary agency ended after two days. (Exhibit 34: Case Notes Details)
11. On [REDACTED] 2019, the Department reauthorized benefits for a household of one: the Defendant for a twelve (12) month certification period beginning [REDACTED] 2019 and ending on [REDACTED] 2020. (Exhibit 34: Case Notes Details and Exhibit 41: SNAP EDG Summary)
12. On [REDACTED] 2019, the Department issued a Periodic Report Form ("PRF") to the Defendant to complete, sign, and return by [REDACTED] 2019. Instructions on the form state, "You must complete this page, sign, and return all pages in order to continue receiving benefits. Fill the correct bubble below, sign, and return all pages. I read this form and I made no changes. I read this form and I have made changes." The Department writes, "By signing, I agree that: · I have read this entire form including the section about rights and responsibilities, or have had it read to me in a language that I understand, and that I must comply with these

- rules; · The information I am giving is true and complete to the best of my knowledge; · I could go to prison or be required to pay fines if I knowingly give wrong or incomplete information; and · DSS and other federal, state, and local officials may verify (check) any information I give.” Included on the PRF are the following instructions in bold: “All pages of this form must be returned for the PRF to be considered complete. Only returning the first page will result in delayed benefits.” (Exhibit 27: Periodic Report Form [REDACTED] and Exhibit 30: Periodic Report Form [REDACTED])
13. On [REDACTED] [REDACTED] 2019, the Department received a PRF from the Defendant which he signed on [REDACTED] [REDACTED] 2019 checking off “I have read this form and I made no changes.” Preprinted on the form is \$60.00 weekly wages from [temporary agency] under Earned Income. Under the section labeled Household Members instructions state: “The following people are listed as being in your SNAP household. If someone is no longer in your household, cross out their name. If someone has moved, write their name, date of birth, social security number, and any income in the space provided below.” The PRF lists the Defendant as the only household member with no additional members added. The PRF lists the Defendant as paying child support. (Exhibit 27: Periodic Report Form [REDACTED])
 14. On [REDACTED] [REDACTED] 2019, the Department reviewed the Defendant’s [REDACTED] [REDACTED] 2019 PRF and updated child support expense located under the Department’s electronic child support computer system referenced as CCSES. (Exhibit 14: Periodic Report Form [REDACTED] and Exhibit 34: Case Notes Details)
 15. On [REDACTED] [REDACTED] 2020, the Department received the Defendant’s renewal document requesting continued benefits under the SNAP for himself and completed a face to face renewal interview with the Defendant. The Defendant reported household members as himself and his marital status as divorced. The Defendant reported no source of income, SSI denied, no child support payments, and rent remained at \$00.00. The Defendant signed and dated the renewal document on [REDACTED] [not legible], 2020. (Exhibit 29: Renewal Document [REDACTED] and Exhibit 34: Case Notes Details)
 16. On [REDACTED] [REDACTED] 2020, the Department reauthorized benefits for a household of one: the Defendant for a twelve (12) month certification period beginning [REDACTED] 2020 and ending on [REDACTED] 2021. (Exhibit 34: Case Notes Details and Exhibit 41: SNAP EDG Summary)
 17. On [REDACTED] [REDACTED] 2020, the Defendant began receiving unemployment compensation benefits (“UCB”) of \$136.00 per week. The Defendant received the following gross monthly UCB during the period [REDACTED] [REDACTED] 2020

through [REDACTED] [REDACTED] 2021, excluding federal pandemic unemployment compensation (FPUC).

- [REDACTED] \$272.00
- [REDACTED] \$680.00
- [REDACTED] \$544.00
- [REDACTED] \$680.00
- [REDACTED] \$544.00
- [REDACTED] \$544.00
- [REDACTED] \$680.00
- [REDACTED] \$544.00
- [REDACTED] \$544.00
- [REDACTED] \$544.00
- [REDACTED] \$680.00
- [REDACTED] \$544.00
- [REDACTED] \$136.00

(Exhibit 9: Unemployment Income Verification and Exhibit 34: Case Notes Details)

18. On [REDACTED] [REDACTED] 2020, the Department issued a PRF to the Defendant to complete, sign, and return by [REDACTED] [REDACTED] 2020. Refer to Finding of Fact (“FOF”) # 12. (Exhibit 30: Periodic Report Form [REDACTED])
19. On [REDACTED] [REDACTED] 2020, the Department received a PRF from the Defendant which he signed on [REDACTED] [REDACTED] 2020 checking off “I have read this form and I made no changes.” The PRF lists the Defendant as the only household member with no additional members added. (Exhibit 30: Periodic Report Form [REDACTED] and Exhibit 34: Case Notes Details)
20. On [REDACTED] [REDACTED] 2021, the Department received the Defendant’s renewal document requesting continued benefits under the SNAP for himself. The renewal document listed household members as the Defendant and his marital status as divorced. The Defendant lists himself under new household members and writes “son” under the box relationship to head of household. The Defendant reported unemployment compensation benefits continues of \$136.00 per week and Supplemental Security Income (SSI) income continues, no amount listed. The Defendant made no changes to child support payments of \$26.66 to the spouse, and rent remained at \$00.00. The Defendant signed and dated the renewal document on [REDACTED] [REDACTED] 2021. (Exhibit 31: Renewal Document [REDACTED] and Exhibit 34: Case Notes Details)
21. On [REDACTED] [REDACTED] 2021, the Department reauthorized benefits for a household of one: the Defendant for a twelve (12) month certification

period beginning [REDACTED] 2021 and ending on [REDACTED] 2022. (Exhibit 34: Case Notes Details and Exhibit 41: SNAP EDG Summary)

22. On [REDACTED] 2021, the Defendant began working for [REDACTED] (“online retailer”). The Defendant earned the following gross monthly wages from online retailer for the period beginning [REDACTED] 2021 through [REDACTED] 2022:

- [REDACTED] \$1,048.04
- [REDACTED] \$1,632.96
- [REDACTED] \$1,677.04
- [REDACTED] \$1,278.23
- [REDACTED] \$2,653.55
- [REDACTED] \$3,022.34
- [REDACTED] \$3,980.23
- [REDACTED] \$3,880.03
- [REDACTED] \$3,186.98
- [REDACTED] unable to determine

(Exhibit 6: Defendant Employment Verification)

23. On [REDACTED] 2022, the Defendant submitted a renewal document to the Department requesting continued benefits under the SNAP for himself. The renewal document listed household members as the Defendant and his marital status as divorced. The Defendant indicated no changes to household members. The Defendant failed to report employment with online retailer rather checked off “If there are no changes to the information above, check here” under the earned income section of the document. The Defendant reported unemployment compensation benefits ended. No out of pocket expenses or other sources of income were listed on the renewal document. The Defendant signed and dated the renewal document on [REDACTED] 2022. (Exhibit 33: Renewal Document [REDACTED] and Exhibit 34: Case Notes Details)

24. On [REDACTED] 2022, the Department completed a recertification interview via telephone with the Defendant. The Department received information through an electronic database that the Defendant was employed. The Defendant confirmed employment with online retailer. The Defendant reported child support expense of \$16.00 per week. No other expenses reported. The Defendant reported he lives with parents and brother. (Exhibit 34: Case Notes Details)

25. On [REDACTED] 2022, the Department reauthorized benefits for a household of one: the Defendant for a twelve (12) month certification period beginning [REDACTED] 2022 and ending on [REDACTED] 2023. (Exhibit 34: Case Notes Details and Exhibit 41: SNAP EDG Summary)

26. On [REDACTED] [REDACTED] 2022, the Department submitted a referral to the Investigations Division to review the Defendant's household as the Department received information that the spouse and the son reside at the home address with the Defendant. (Exhibit 34: Case Notes Details and Exhibit 1: Referral)
27. On [REDACTED] [REDACTED] 2022 and [REDACTED] [REDACTED] 2022, the Department made two unsuccessful home visits to the home address. (Exhibit 34: Case Notes)
28. The Investigation Division revealed the following: (Exhibit 3: Spouse Driver's License, Exhibit 4: Son Driver's License, Exhibit 5: Spouse Employment Verification, Exhibit 7: Son Employment Verification, Exhibit 8: Unemployment Income Verification, Exhibit 10: Unemployment Income Verification, Exhibit 35: AHCT application [REDACTED] Exhibit 36: AHCT Application [REDACTED] Exhibit 37: AHCT Application [REDACTED] Exhibit 38: AHCT Manage Case Comments, Exhibit 6: Defendant Employment Verification)
- a. The spouse's current [REDACTED] driver's license from the Department of Motor Vehicles ("DMV") renewed on [REDACTED] [REDACTED] 2017 with an expiration date of [REDACTED] 2023, lists the spouse's address as the Defendant's home address.
 - b. The spouse worked for the temporary agency, hire date [REDACTED] 2019 termination date [REDACTED] 2019. The employee address on file with temporary agency matches the Defendant's home address. See Addendum A for wage information.
 - c. The spouse worked for [REDACTED] ("delivery service"), hire date [REDACTED] 2019 termination date [REDACTED] 2019. The employee address on file with the delivery service matches the Defendant's home address. See Addendum A for wage information.
 - d. The spouse worked for [REDACTED] ("retail company"), hire date [REDACTED] [REDACTED] 2019 termination date [REDACTED] [REDACTED] 2019. The employee address on file with the retail company matches the Defendant's home address. See Addendum A for wage information.
 - e. The spouse works for the online retailer original hire date [REDACTED] [REDACTED] 2021 through [REDACTED] [REDACTED] 2022. The spouse returned to work with the online retailer on [REDACTED] [REDACTED] 2022. The employee address on file with the online retailer matches the Defendant's home address. See Addendum A for wage information.
 - f. The son's current [REDACTED] driver's license from the DMV issued on [REDACTED] 2021 with an expiration date as [REDACTED] 2028, lists the son's mailing address and residential address as the Defendant's home address.
 - g. The son worked for [REDACTED] ("restaurant") hire date [REDACTED], 2019 termination date [REDACTED] 2020. The

employee address on file with the restaurant is the Defendant's home address. See Addendum A for wage information.

- h. The son worked for [REDACTED] ("government employer"), hire date [REDACTED] 2021 terminating [REDACTED], 2021. The employee address on file with the government employer is the Defendant's home address. See Addendum A for wage information.
- i. The son works for [REDACTED] ("restaurant chain") for 9 months, hire date [REDACTED] 2021 termination date if applicable cannot be determined. The employee address on file with the restaurant chain is the Defendant's home address. See Addendum A for wage information.
- j. The son works for [REDACTED] ("restaurant bar"), hire date [REDACTED] 2022, termination date if applicable cannot be determined. The employee address on file with the restaurant bar is the Defendant's home address. See Addendum A for wage information.
- k. The spouse's unemployment compensation benefits claim effective [REDACTED], 2020 through [REDACTED] 2021 lists the spouse's address as the Defendant's home address. See Addendum B for UCB information.
- l. The son's unemployment compensation benefits claim effective [REDACTED] 2020 through [REDACTED], 2021 lists the son's address as the Defendant's home address. See Addendum B for UCB information.
- m. On [REDACTED] 2019, the spouse filed an online change report application with Access Health CT ("AHCT") listing she and the son's home address as [REDACTED] no source of income for herself or the son, and not filing taxes for herself and her son nor neither a tax dependent.
- n. On [REDACTED] 2019, the spouse filed an online change report application with AHCT updating her mailing address to the Defendant's home address, listing no source of income for herself and the son, and not filing taxes for herself and the son and neither a tax dependent.
- o. On [REDACTED] 2022, the spouse contacted AHCT via telephone confirming her address and the son's address as the Defendant's home address and requested the cancellation of their Husky insurance.

29. Recipients of benefits under the SNAP are subject to recertification annually by the Department to establish continued eligibility of benefits. Recipients must report changes in household composition and income on the renewal documents and at the renewal interview. (Hearing Record)

30. The Department issues Periodic Report Forms ("PRF") to recipients of SNAP benefits midway through their recertification cycles to complete and return. Recipients must report changes in household composition and income on the PRF. (Department Representative's Testimony)

31. The Department determined the Defendant committed an intentional program violation under the SNAP because the Defendant failed to report the spouse nor the son as household members as required at recertification in ██████ 2019, ██████ 2020, and ██████ 2021 and on the ██████ 2019 and ██████ 2020 PRFs. (Hearing Record)
32. On ██████ ██████ 2022, the Department issued the Defendant a Notice of Prehearing Interview (form W1448”) scheduling an appointment with the Defendant for ██████ ██████ 2022 at the Regional Office to discuss the charge that he broke the rules under the SNAP. The notice stated the Defendant broke the SNAP rules on purpose because of “a misrepresentation of household composition” causing an overpayment of \$1,332.00. The notice informs the Defendant he may give up the right to an administrative disqualification hearing, admit to the facts of the charges, or not admit to such charges as presented by the Department. The Department enclosed Waiver of Disqualification Hearing (“form W1449”) informing the Defendant of the Department’s proposal to disqualify him from the SNAP for a period of 12 months. The Department listed the due date for the waiver as ██████ ██████ 2022. (Exhibit 15: Notice of Prehearing Interview and Waiver of Disqualification Hearing)
33. On ██████ ██████ 2022, the Defendant failed to appear for the prehearing interview and failed to contact the Defendant to reschedule the prehearing interview. The Department did not receive a signed form W-1449 from the Defendant. (Hearing Record)
34. On ██████ ██████ 2022, the OLCRAH conducted an administrative disqualification hearing. (Hearing Record)
35. The Department seeks to disqualify the Defendant from participation in the SNAP for a period of twelve (12) months due to an IPV when the Defendant failed to inform the Department his son and spouse resided in the home at recertification and on the PRF. This would be the first disqualification penalty under the SNAP for the Defendant. Refer to FOF # 31. (Hearing Record)
36. The Department calculated the household’s gross income as listed in chart below. Refer to FOF’s # 8, 17, 22. Refer to Addendums A and B. (Hearing Record)

Month year	Gross HH Income	Month Year	Gross HH Income
██████ 2019	\$2,642.75	██████ 2019	\$844.50
██████ 2019	\$898.71	██████ 2019	\$3,927.76
██████ 2019	\$2,085.59	██████ 2020	\$1,791.58
██████ 2020	\$1,499.67	██████ 2020	\$00.00
██████ 2020	\$95.00	██████ 2020	\$515.00
██████ 2020	\$1,325.00	██████ 2020	\$1,060.00

██████████ 2020	\$1,325.00	██████████ 2020	\$1,060.00
██████████ 2020	\$1,060.00	██████████ 2020	\$1,325.00
██████████ 2020	\$1,060.00	██████████ 2021	\$1,060.00
██████████ 2021	\$1,060.00	██████████ 2021	\$1,451.00
██████████ 2021	\$1,804.00	██████████ 2021	\$1,012.00
██████████ 2021	\$820.00	██████████ 2021	\$656.00
██████████ 2021	\$820.00	██████████ 2021	\$328.00
██████████ 2021	\$00.00	██████████ 2021	\$1,596.08
██████████ 2021	\$3,204.45	██████████ 2022	\$5,395.38
██████████ 2022	\$6,213.54	██████████ 2022	\$5,894.61
██████████ 2022	\$3,381.89	██████████ 2022	\$3,022.14
██████████ 2022	\$5,123.06	██████████ 2022	\$5,928.32
██████████ 2022	\$2,551.79		

37. The Department seeks to recover \$1,332.00 in overpaid SNAP benefits, excluding pandemic allotments, between ██████████ 2019 through August ██████████ 2022 because the Defendant failed to follow the SNAP regulations when he failed to report the correct household composition at time of recertifications and on the PRF's. Refer to FOF # 31 (Hearing Record)

Month	Received	Entitled	Overpayment
██████████ 2019	179.00	00.00	179.00
██████████ 2019	187.00	359.00	00.00
██████████ 2019	190.00	297.00	00.00
██████████ 2019	190.00	00.00	190.00
██████████ 2019	190.00	00.00	190.00
██████████ 2020	194.00	29.00	165.00
██████████ 2020	194.00	117.00	77.00
██████████ 2020	194.00	509.00	00.00
██████████ 2020	194.00	509.00	00.00
██████████ 2020	194.00	412.00	00.00
██████████ 2020	194.00	169.00	25.00
██████████ 2020	194.00	249.00	00.00
██████████ 2020	194.00	169.00	25.00
██████████ 2020	194.00	249.00	00.00
██████████ 2020	86.00	275.00	00.00
██████████ 2020	86.00	195.00	00.00
██████████ 2020	86.00	275.00	00.00
██████████ 2021	116.00	356.00	00.00
██████████ 2021	116.00	356.00	00.00
██████████ 2021	108.00	356.00	00.00
██████████ 2021	108.00	124.00	00.00
██████████ 2021	108.00	362.00	00.00
██████████ 2021	108.00	420.00	00.00
██████████ 2021	108.00	469.00	00.00
██████████ 2021	108.00	420.00	00.00
██████████ 2021	108.00	567.00	00.00

█ 2021	127.00	658.00	00.00
█ 2021	127.00	232.00	00.00
█ 2021	127.00	00.00	127.00
█ 2022	127.00	00.00	127.00
█ 2022	127.00	00.00	127.00
█ 2022	250.00*	00.00	00.00
█ 2022	20.00	00.00	20.00
█ 2022	20.00	00.00	20.00
█ 2022	20.00	00.00	20.00
█ 2022	20.00	00.00	20.00
█ 2022	20.00	00.00	20.00

*may include regular and pandemic allotment

38. The issuance of this decision is timely under Title 7 Section 273.16(e)(2)(iv) of the Code of Federal Regulations, which requires that a decision be issued within 90 days of the notice of the initiation of the ADH process. On █ 2022, the OLCRAH mailed the Defendant notification of the initiation of the ADH process. Therefore, this decision is due not later than █ 2022.

CONCLUSIONS OF LAW

1. Section 17b-2(7) of the Connecticut General Statutes (“Conn. Gen. Stat.”) 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. State statute provides as follows:

If a beneficiary of assistance under the state supplement program, medical assistance program, aid to families with dependent children program, temporary family assistance program, state-administered general assistance program, food stamp program or supplemental nutrition assistance program receives any award or grant over the amount to which he is entitled under the laws governing eligibility, the Department of Social Services (1) shall immediately initiate recoupment action and shall consult with the Division of Criminal Justice to determine whether to refer such overpayment, with full supporting information, to the state police, to a prosecuting authority for prosecution or to the Attorney General for civil recovery, or (2) shall take such other action as conforms to federal regulations, including, but not limited to, conducting administrative disqualification hearings for cases involving alleged fraud in the food stamp program, supplemental nutrition assistance program, the aid to families with dependent children program, the temporary family assistance program or the state-administered general assistance program.

Conn. Gen. Stat. § 17b-88

3. Title 7 Section 273.16(a)(1) of the Code of Federal regulations ("C.F.R.") provides as follows:

The state agency shall be responsible for investigating any case of alleged intentional Program violation, and ensuring that appropriate cases are acted upon either through administrative disqualification hearings or referral to a court of appropriate jurisdiction in accordance with the procedures outlined in this section. Administrative disqualification procedures or referral for prosecution action should be initiated by the State agency in cases in which the State agency has sufficient documentary evidence to substantiate that an individual has intentionally made one or more acts of intentional Program violation as defined in paragraph (c) of this section. If the State agency does not initiate administrative disqualification procedures or refer for prosecution a case involving an over issuance caused by a suspected act of intentional Program violation, the State agency shall take action to collect the over issuance by establishing an inadvertent household error claim against the household in accordance with the procedures in §273.18. The State agency should conduct administrative disqualification hearings in cases in which the State agency believes the facts of the individual case do not warrant civil or criminal prosecution through the appropriate court system, in cases previously referred for prosecution that were declined by the appropriate legal authority, and in previously referred cases where no action was taken within a reasonable period of time and the referral was formally withdrawn by the State agency. The State agency shall not initiate an administrative disqualification hearing against an accused individual whose case is currently being referred for prosecution or subsequent to any action taken against the accused individual by the prosecutor or court of appropriate jurisdiction, if the factual issues of the case arise out of the same, or related, circumstances. The State agency may initiate administrative disqualification procedures or refer a case for prosecution regardless of the current eligibility of the individual.

4. Federal regulation provides as follows:

The State agency shall base administrative disqualifications for intentional Program violations on the determinations of hearing authorities arrived at through administrative disqualification hearings in accordance with paragraph (e) of this section or on determinations reached by courts of appropriate jurisdiction in accordance with paragraph (g) of this section. However, any State agency has the option of allowing accused individuals either to waive their rights to administrative disqualification hearings in accordance with paragraph (f) of this section or to sign disqualification

consent agreements for cases of deferred adjudication in accordance with paragraph (h) of this section. Any State agency which chooses either of these options may base administrative disqualifications for intentional Program violation on the waived right to an administrative disqualification hearing or on the signed disqualification consent agreement in cases of deferred adjudication.

7 C.F.R. § 273.16(a)(3)

5. Federal regulation provides in pertinent part: “*Household responsibility to report.* ... Simplified reporting households are subject to the procedures as provided in paragraph (a)(5) of this section. ...” 7 C.F.R. § 273.12(a)(1)

“The State agency may establish a simplified reporting system in lieu of the change reporting requirements specified under paragraph (a)(1) of this section.” 7 C.F.R. § 273.12(a)(5)

The Department correctly determined the Defendant subject to simplified reporting under the SNAP.

6. Federal regulation provides as follows:

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.

7 C.F.R. § 273.1(a)

Federal regulation provides as follows:

The following individuals who live with others must be considered as customarily purchasing food and preparing meals with the others, even if they do not do so, and thus must be included in the same household, unless otherwise specified.

- i. Spouses;
- ii. A person under 22 years of age who is living with his or her natural or adoptive parent(s) or step-parent(s); and
- iii. A child (other than a foster child) under 18 years of age who lives with and is under the parental control of a household member other

than his or her parent. A child must be considered to be under parental control for purposes of this provision if he or she is financially or otherwise dependent on a member of the household, unless State law defines such a person as an adult.

7 C.F.R. § 273.1(b)(1)

The Department correctly determined the spouse, the son and the Defendant live together at the home address as documented by DMV records, employment records, UCB records, and AHCT records. Refer to FOF #28.

The Department correctly determined both the spouse and the son must be included in the Defendant's SNAP household. Whether the Defendant and spouse are married or divorced, federal regulation requires that all three must be included in the same household because they are the parents of the son who is under [REDACTED] and all three reside together at the home address.

The Department correctly determined a household of three: the Defendant, the spouse, and the son.

7. Federal regulation provides as follows:

General. 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)

Federal regulation provides as follows:

Application. The State agency must develop an application to be used by households when applying for recertification. It may be the same as the initial application, a simplified version, a monthly reporting form, or other method such as annotating changes on the initial application form. A new household signature and date is required at the time of application for recertification. The provisions of §273.2(c)(7) regarding acceptable signatures on applications also apply to applications used at recertification. The recertification process can only be used for those households which apply for recertification prior to the end of their current

certification period, except for delayed applications as specified in paragraph (e)(3) of this section. 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. The State agency must notify the applicant of information which is specified in §273.2(b)(2), and provide the household with a notice of required verification as specified in §273.2(c)(5).

7 C.F.R. § 273.14(b)(2)

Federal regulation provides as follows:

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

7 C.F.R. § 273.14(b)(3)

8. Federal regulation provides as follows:

Submission of periodic reports by non-exempt households. Households that are certified for longer than 6 months, except those households described in §273.12(a)(5)(iii)(A), must file a periodic report between 4 months and 6 months, as required by the State agency. Households in which all adult members are elderly or have a disability with no earned income and are certified for periods lasting between 13 months and 24 months must file a periodic report once a year. In selecting a due date for the periodic report, the State agency must provide itself sufficient time to process reports so that households that have reported changes that will reduce or terminate benefits will receive adequate notice of action on the report in the first month of the new reporting period.

7 C.F.R. § 273.12(a)(5)(iii)(B)

“The periodic report form must request from the household information on any changes in circumstances in accordance with paragraphs (a)(1)(i) through (a)(1)(vii) of this section and conform to the requirements of paragraph (b)(2) of this section.” 7 C.F.R. § 273.12(a)(5)(iii)(C)

Federal regulation provides in pertinent part:

Monthly reporting households are required to report as provided in §273.21. Quarterly reporting households are subject to the procedures as provided in paragraph (a)(4) of this section. Simplified reporting households are subject to the procedures as provided in paragraph (a)(5) of this section. Certified change reporting households are required to report the following changes in circumstances:

- ii. All changes in household composition, such as the addition or loss of a household member.
- iii. changes in residence and the resulting change in shelter costs.

7 C.F.R. § 273.12(a)(1)(ii) and 7 C.F.R. § 273.12(a)(1)(iii)

9. Federal regulation provides as follows:

Failure to report. If the State agency discovers that the household failed to report a change as required by paragraph (a) of this section and, as a result, received benefits to which it was not entitled, the State agency shall file a claim against the household in accordance with §273.18. If the discovery is made within the certification period, the household is entitled to a notice of adverse action if the household's benefits are reduced. A household shall not be held liable for a claim because of a change in household circumstances which it is not required to report in accordance with §273.12(a)(1). Individuals shall not be disqualified for failing to report a change, unless the individual is disqualified in accordance with the disqualification procedures specified in §273.16.

7 C.F.R. § 273.12(d)

The Department correctly determined the Defendant failed to report a change in household composition because the Defendant failed to notify the Department that the spouse and son reside at the home address on the renewal documents signed by the Defendant on [REDACTED] 2019, [REDACTED] 2020, [REDACTED] 2021, and [REDACTED] 2022 and during the interviews completed with the Department on [REDACTED] 2019, [REDACTED] 2020, and [REDACTED] 2022. In addition, the Defendant failed to report that the spouse and son reside at the home address on the PRF's completed and signed by the Defendant on [REDACTED] 2019 and [REDACTED] 2020. The Defendant failed to establish good cause for the omission of changes to household composition. Changes in household composition is a change in which SNAP recipients are required to report at recertification and on the PRF.

10. “The State agency shall conduct administrative disqualification hearings for individual accused of intentional Program violation in accordance with the requirements outlined in this section.” 7 C.F.R. § 273.16(e)

“The hearing authority shall base the determination of intentional Program violation on clear and convincing evidence which demonstrates that the household member(s) committed, and intended to commit, intentional Program violation as defined in paragraph (c) of this section.” 7 C.F.R. § 273.16(e)(6)

Federal regulation provides as follows:

Definition of intentional Program violation. Intentional Program violations shall consist of having intentionally:

1. Made a false or misleading statement, or misrepresented, concealed or withheld facts; or
2. Committed any act that constitutes a violation of SNAP, SNAP regulations, or any State statute for the purpose of using, presenting, transferring, acquiring, receiving, possessing or trafficking of SNAP benefits or BET cards.

7 C.F.R. § 273.16(c)

The Department correctly determined that the Defendant committed an intentional program violation (IPV) of the SNAP federal regulations because the Defendant misrepresented his household and withheld information when he failed to disclose to the Department a change in household composition as required by federal regulations on the renewal documents and during the renewal interviews at recertification and on the PRF’s. The Defendant failed to report a change in household composition on nine (9) separate occasions.

11. Federal regulation provides as follows:

Imposition of disqualification penalties. (i) If the hearing authority rules that the individual has committed an intentional Program violation, the household member must be disqualified in accordance with the disqualification periods and procedures in paragraph (b) of this section. The same act of intentional Program violation repeated over a period of time must not be separated so that separate penalties can be imposed.

7 C.F.R. § 273.16(e)(8)(i)

Federal regulation provides as follows:

Disqualification penalties. Individuals found to have committed an intentional Program violation either through an administrative disqualification hearing or by a Federal, State or local court, or who have signed either a waiver of right to an administrative disqualification hearing or a disqualification consent agreement in cases referred for prosecution, shall be ineligible to participate in the Program: For a period of twelve months for the first intentional Program violation, except as provided under paragraphs (b)(2), (b)(3), (b)(4), and (b)(5) of this section.

7 C.F.R. § 273.16(b)(1)(i)

The Department was correct to seek the disqualification of the Defendant from participating in the SNAP for a period of 12 months under a first violation because the Defendant committed an IPV and subject to disqualification under the SNAP for a period of 12 months. Refer to Conclusion of Law (“COL”) # 9 and # 10.

12. Federal regulation provides as follows:

Income eligibility standards. Participation in the Program shall be limited to those households whose incomes are determined to be a substantial limiting factor in permitting them to obtain a more nutritious diet. Households which contain an elderly or disabled member shall meet the net income eligibility standards for SNAP. Households which do not contain an elderly or disabled member shall meet both the net income eligibility standards and the gross income eligibility standards for SNAP. Households which are categorically eligible as defined in §273.2(j)(2) or 273.2(j)(4) do not have to meet either the gross or net income eligibility standards. The net and gross income eligibility standards shall be based on the Federal income poverty levels established as provided in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)).

7 C.F.R. § 273.9(a)

Federal regulation provides as follows:

Household income shall mean all income from whatever source excluding only items specified in paragraph (c) of this section. Unearned income shall include, but not be limited to: 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.

7 C.F.R. § 273.9(b)(2)(ii)

On Dec. 27, 2020, the President signed into law the Consolidated Appropriations Act, 2021. Division N, Title VII, Section 702(d) of this Act excludes federal pandemic unemployment compensation payments authorized under Section 2104 of the Coronavirus Aid, Relief, and Economic Security Act (the CARES Act; [PL 116-136](#)) from consideration as income for the purposes of determining FDPIR eligibility.

“Household income shall mean all income from whatever source excluding only items specified in paragraph (c) of this section. (1) Earned income shall include (i) all wages and salaries of employee.” 7 C.F.R. § 273.9(b)

The Department correctly included the household’s wages and regular UCB for the purpose of determining eligibility and calculating benefits under the SNAP. The Department correctly excluded Federal Pandemic Unemployment Compensation Payments, the additional \$300 provided by the Act through the CARES Act and the initial federal unemployment compensation payment of \$600 in the CARES Act.

13. Federal regulation provides as follows:

Determining income-(1) Anticipating income. For the purpose of determining the household's eligibility and level of benefits, the State agency shall take into account the income already received by the household during the certification period and any anticipated income the household and the State agency are reasonably certain will be received during the remainder of the certification period. If the amount of income that will be received, or when it will be received, is uncertain, that portion of the household's income that is uncertain shall not be counted by the State agency. For example, a household anticipating income from a new source, such as a new job or recently applied for public assistance benefits, may be uncertain as to the timing and amount of the initial payment. These moneys shall not be anticipated by the State agency unless there is reasonable certainty concerning the month in which the payment will be received and in what amount. If the exact amount of the income is not known, that portion of it which can be anticipated with reasonable certainty shall be considered as income. In cases where the receipt of income is reasonably certain but the monthly amount may fluctuate, the household may elect to income average. Households shall be advised to report all changes in gross monthly income as required by §273.12.

7 C.F.R. § 273.10(c)(1)(i)

Federal regulation provides as follows:

Income only in month received. Income anticipated during the certification period shall be counted as income only in the month it is expected to be received, unless the income is averaged. Whenever a full month's income is anticipated but is received on a weekly or biweekly basis, the State agency shall convert the income to a monthly amount by multiplying weekly amounts by 4.3 and biweekly amounts by 2.15, use the State Agency's PA conversion standard, or use the exact monthly figure if it can be anticipated for each month of the certification period. Nonrecurring lump-sum payments shall be counted as a resource starting in the month received and shall not be counted as income.

7 C.F.R. § 273.10(c)(2)(i)

14. The Department incorrectly determined the household's monthly gross income as listed in the chart below.

Month Year	Incorrect Gross HH Income	Correct Gross HH Income
██████ 2019	\$2,642.75	\$3,068.90
██████ 2019	\$3,927.76	\$3,947.76
██████ 2019	\$2,085.59	\$2,480.66
██████ 2020	\$515.00	\$458.00
██████ 2021	\$1,451.00	\$1,287.00
██████ 2021	\$1,804.00	\$984.00
██████ 2021	\$1,012.00	\$426.00
██████ 2021	\$820.00	\$00.00
██████ 2021	\$656.00	\$00.00
██████ 2021	\$820.00	\$00.00
██████ 2021	\$328.00	\$00.00
██████ 2022	\$3,381.89	\$2,653.55
██████ 2022	\$5,928.32	\$3,880.03
██████ 2022	\$2,551.79	\$3,186.98

The Department correctly determined the household's monthly gross income as listed in the chart below.

Month year	Gross HH Income	Month Year	Gross HH Income
██████ 2019	\$844.50	██████ 2019	\$898.71
██████ 2020	\$1,791.58	██████ 2020	\$1,499.67
██████ 2020	\$00.00	██████ 2020	\$95.00
██████ 2020	\$1,325.00	██████ 2020	\$1,060.00
██████ 2020	\$1,325.00	██████ 2020	\$1,060.00
██████ 2020	\$1,060.00	██████ 2020	\$1,325.00

██████████ 2020	\$1,060.00	██████████ 2021	\$1,060.00
██████████ 2021	\$1,060.00	██████████ 2021	\$00.00
██████████ 2021	\$1,596.08	██████████ 2021	\$3,204.45
██████████ 2022	\$5,395.38	██████████ 2022	\$6,213.54
██████████ 2022	\$5,894.61	██████████ 2022	\$3,022.14
██████████ 2022	\$5,123.06		

15. *“Determining deduction.* Deductible expenses include only certain dependent care, shelter, medical and at State agency option, child support costs as described in § 273.9.” 7 C.F.R. § 273.10(d)

Federal regulation provides as follows:

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.

7 C.F.R. § 273.9(d)(6)(ii)

Federal regulation provides as follows:

A standard with a heating or cooling component must be made available to households that incur heating or cooling expenses separately from their rent or mortgage and to households that receive direct or indirect assistance under the Low Income Home Energy Assistance Act of 1981 (LIHEAA). A heating or cooling standard is available to households in private rental housing who are billed by their landlords on the basis of individual usage or who are charged a flat rate separately from their rent. However, households in public housing units which have central utility meters and which charge households only for excess heating or cooling costs are not entitled to a standard that includes heating or cooling costs based only on the charge for excess usage unless the State agency mandates the use of standard utility allowances in accordance with paragraph (d)(6)(iii)(E) of this section. Households that receive direct or indirect energy assistance that is excluded from income consideration (other than that provided under the LIHEAA) are entitled to a standard that includes heating or cooling only if the amount of the expense exceeds the amount of the assistance. Households that receive direct or indirect energy assistance that is counted as income and incur a heating or cooling expense are entitled to use a standard that includes heating or cooling costs. A household that has both an occupied home and an unoccupied home is only entitled to one standard.

7 C.F.R. § 273.9(d)(6)(iii)(C)

Federal regulation provides as follows:

At its option, the State agency may provide a deduction, rather than the income exclusion provided under [paragraph \(c\)\(17\)](#) of this section, for legally obligated child support payments paid by a household member to or for a nonhousehold member, including payments made to a third party on behalf of the nonhousehold member (vendor payments) and amounts paid toward child support arrearages. Alimony payments made to or for a nonhousehold member shall not be included in the child support deduction. A State agency that chooses to provide a child support deduction rather than an exclusion in accordance with this [paragraph \(d\)\(5\)](#) must specify in its State plan of operation that it has chosen to provide the deduction rather than the exclusion.

7 C.F.R. § 273.9(d)(5)

The Department correctly determined the Defendant ineligible for the shelter hardship deduction as the Defendant claimed \$00.00 shelter expenses. Refer to Addendum C.

The Department correctly determined the Defendant qualified for a child support deduction when paid by the Defendant. Refer to Addendum C.

16. Federal regulation provides as follows: *Calculating net income and benefit levels – Net monthly income.* To determine a household's net month income, the State agency shall: 7 C.F.R. § 273.10(e)(1)(i)
- 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)(i)

“As a State agency, you do not apply the earned income deduction to that part of any earned income that the household failed to report in a timely manner when this action is the basis for the claim.” 7 C.F.R. § 273.18(c)(1)(ii)(B)

17. Federal regulation provides as follows:

Standard deduction-48 States, District of Columbia, Alaska, Hawaii, and the Virgin Islands. Effective October 1, 2002 in the 48 States and the District of Columbia, Alaska, Hawaii, and the Virgin Islands, the standard deduction for household sizes one through six shall be equal to 8.31 percent of the monthly net income eligibility standard for each household size established under paragraph (a)(2) of this section rounded up to the nearest whole dollar. For household sizes greater than six, the standard deduction shall be equal to the standard deduction for a six-person household.

7 C.F.R. § 273.9(d)(1)(i)

For the period October 1, 2018 through September 30, 2019, the standard deduction under SNAP for a household of three equaled \$164.00 per

month. (FNS Policy Memo (7/27/2018) SNAP – Fiscal Year 2019 Cost-of-Living Adjustments)

For the period October 1, 2019 through September 30, 2020, the standard deduction under SNAP for a household of three equaled \$167.00 per month. (FNS Policy Memo (7/24/2019) SNAP – Fiscal Year 2020 Cost-of-Living Adjustments)

For the period October 1, 2020 through September 30, 2021, the standard deduction under SNAP for a household of three equaled \$167.00 per month. (FNS Policy Memo (7/29/2020) SNAP – Fiscal Year 2021 Cost-of-Living Adjustments)

For the period October 1, 2020 through September 30, 2021, the standard deduction under SNAP for a household of three equaled \$177.00 per month. (FNS Policy Memo (08/09/21) SNAP – Fiscal Year 2022 Cost-of-Living Adjustments)

The Department correctly determined the Defendant qualified for the standard deduction under the SNAP. Refer to Addendum C.

18. Federal regulation provides as follows:

Except as provides in paragraphs (a)(1), (e)(2)(iii) and (e)(2)(vi) for 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: The State agency shall round the 30 percent of net income up to the nearest higher dollar.

7 C.F.R. § 273.10(e)(2)(ii)(A)(1)

19. Federal regulation provides as follows:

Thrifty Food Plan (TFP) and Maximum SNAP Allotments. 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.

7 C.F.R. § 273.10(e)(4)(i)

Federal regulation provides as follows:

Adjustment. Effective October 1, 1996, the maximum SNAP allotments must be based on 100% of the cost of the TFP as defined in §271.2 of this chapter for the preceding June, rounded to the nearest lower dollar increment, except that on October 1, 1996, the allotments may not fall below those in effect on September 30, 1996.

7 C.F.R. § 273.10(e)(4)(ii)

For the period October 1, 2018 through September 30, 2019, the maximum SNAP allotment for the 48 States and DC for a household of three equaled \$505.00 per month. (FNS Policy Memo (7/27/2018) SNAP – Fiscal Year 2019 Cost-of-Living Adjustments)

For the period October 1, 2019 through September 30, 2020, the maximum SNAP allotment for the 48 States and DC for a household of three equaled \$509.00 per month. (FNS Policy Memo (7/24/2019) SNAP – Fiscal Year 2020 Cost-of-Living Adjustments)

For the period October 1, 2020 through September 30, 2021, the maximum SNAP allotment for the 48 States and DC for a household of three equaled \$535.00 per month. (FNS Policy Memo (7/29/2020) SNAP – Fiscal Year 2021 Cost-of-Living Adjustments)

For the period October 1, 2021 through September 30, 2022, the maximum SNAP allotment for the 48 States and DC for a household of three equaled \$658.00 per month. (FNS Policy Memo (08/16/21) SNAP – Fiscal Year 2022 Cost-of-Living Adjustments)

Refer to Addendum C for monthly SNAP calculations between [REDACTED] 2019 through [REDACTED] 2022.

It is noted, the Department correctly determined the Defendant, the spouse, and the son ineligible for the earned income deduction due to unreported employment. However, beginning [REDACTED] 2022, the Defendant became eligible for the earned income deduction as during the recertification interview on [REDACTED] 2022, the Department confirmed the Defendant's employment with the online retailer

making the Defendant eligible for the earned income deduction beginning [REDACTED] 2022.

Additionally, monthly gross income discrepancies outlined in COL # 14 did not impact the calculation of the overpayment claim. However, for [REDACTED] 2022, eligibility for the earned income deduction impacts the benefit calculation resulting in \$00 overpayment claim for [REDACTED] 2022. Refer to Addendum C.

20. Federal regulation provides as follows:

Failure to report. If the State agency discovers that the household failed to report a change as required by paragraph (a) of this section and, as a result, received benefits to which it was not entitled, the State agency shall file a claim against the household in accordance with §273.18. If the discovery is made within the certification period, the household is entitled to a notice of adverse action if the household's benefits are reduced. A household shall not be held liable for a claim because of a change in household circumstances which it is not required to report in accordance with §273.12(a)(1). Individuals shall not be disqualified for failing to report a change, unless the individual is disqualified in accordance with the disqualification procedures specified in §273.16.

7 C.F.R. § 273.12(d)

“A recipient claim is an amount owed because of benefits that are overpaid.” 7 C.F.R. § 273.18(a)(1)(i)

“This claim is a Federal debt subject to this and other regulations governing Federal debts. The State agency must establish and collect any claim by following these regulations.” 7 C.F.R. § 273.18(a)(2)

“*Types of Claims:* There are three types of claims: Intentional Program violation (IPV) claim is any claim for an overpayment or trafficking resulting from an individual committing an IPV. An IPV is defined in § 273.16.” 7 C.F.R. § 273.18(b)(1)

Federal regulation provides as follows:

Calculating the claim amount—(1) Claims not related to trafficking. As a State agency, you must calculate a claim back to at least twelve months prior to when you become aware of the overpayment and for an IPV claim, the claim must be calculated back to the month the act of IPV first occurred and for all claims, don't include any amounts that occurred more than six years before you became aware of the overpayment.

7 C.F.R. § 273.18(c)(1)(i)

Federal regulation provides as follows: The actual steps for calculating a claim are:

- A. You determine the correct amount of benefits for each month that a household received an overpayment;
- B. You do not apply the earned income deduction to that part of any earned income that the household failed to report in a timely manner when this act is the basis for the claim unless the claim is an AE claim then apply the earned income deduction.
- C. You subtract the correct amount of benefits from the benefits actually received. The answer is the amount of the overpayment unless this answer is zero or negative then dispose of the claim referral.
- D. You reduce the overpayment amount by any EBT benefits expunged from the household's EBT benefit account in accordance with your own procedures. The difference is the amount of the claim unless you are not aware of any expunged benefits then the amount of the overpayment calculated in paragraph (c)(1)(ii)(C) of this section is the amount of the claim.

7 C.F.R. § 273.18(C)(1)(ii)

Federal regulation provides in pertinent part,

The State agency shall restore to households benefits which were lost whenever the loss was caused by an error by the State agency or by an administrative disqualification for intentional Program violation which was subsequently reversed as specified in paragraph (e) of this section, or if there is a statement elsewhere in the regulations specifically stating that the household is entitled to restoration of lost benefits.

7 C.F.R. § 273.17(a)(1)

The Department correctly filed a claim against the Defendant for benefits received for which he was not entitled to. The Department correctly determined the SNAP overpayment as intentional program violation (IPV) of the SNAP because the Defendant failed to report a change in household composition at time of recertification failing to properly report the correct household on several occasions at recertifications, interviews, and PRF's. Refer to COL # 9 and # 10.

Although evidence suggests the spouse has been residing at the home address with the Defendant since [REDACTED] 2019, the Defendant failed to disclose this on numerous occasions. The Department correctly determined the Defendant failed to disclose

this upon completion of the █████ 2019 PRF, therefore the start of the overpayment claim begins █████ 2019, the month the Defendant committed the IPV.

The Department correctly determined the Defendant received benefits for which he was not entitled to between █████ 2019 and █████ 2022. The Department correctly calculated the overpayment claim for regular SNAP benefits issued beginning █████ 2019 and ending █████ 2022, except for █████ 2022 and █████ 2022. The █████ 2022 regular SNAP benefit cannot be determined based on the hearing record; therefore, the █████ overpayment claim cannot be established. The Department incorrectly lists the Defendant received \$00.00 SNAP for █████ 2022; however, on █████ 2022, the Department issued \$250.00 under the SNAP to the Defendant. A review of █████ 2022 overpayment claim is needed. Additionally, the Defendant's eligibility for the earned income deduction beginning █████ 2022 impacts the █████ 2022 benefit resulting in a \$00 overpayment claim for █████ 2022. Reference chart below.

Month	Received	Entitled	Overpayment
█████ 2019	179.00	00.00	179.00
█████ 2019	187.00	358.00	00.00
█████ 2019	190.00	297.00	00.00
█████ 2019	190.00	00.00	190.00
█████ 2019	190.00	00.00	190.00
█████ 2020	194.00	29.00	165.00
█████ 2020	194.00	117.00	77.00
█████ 2020	194.00	509.00	00.00
█████ 2020	194.00	509.00	00.00
█████ 2020	194.00	429.00	00.00
█████ 2020	194.00	169.00	25.00
█████ 2020	194.00	249.00	00.00
█████ 2020	194.00	169.00	25.00
█████ 2020	194.00	249.00	00.00
█████ 2020	86.00	275.00	00.00
█████ 2020	86.00	195.00	00.00
█████ 2020	86.00	275.00	00.00
█████ 2021	116.00	356.00	00.00
█████ 2021	116.00	356.00	00.00
█████ 2021	108.00	280.00	00.00
█████ 2021	108.00	370.00	00.00
█████ 2021	108.00	538.00	00.00
█████ 2021	108.00	616.00	00.00
█████ 2021	108.00	616.00	00.00
█████ 2021	108.00	616.00	00.00

█ 2021	108.00	616.00	00.00
█ 2021	127.00	658.00	00.00
█ 2021	127.00	232.00	00.00
█ 2021	127.00	00.00	127.00
█ 2022	127.00	00.00	127.00
█ 2022	127.00	00.00	127.00
█ 2022	250.00	00.00	Further review needed
█ 2022	20.00	00.00	00.00
█ 2022	20.00	00.00	20.00
█ 2022	20.00	00.00	20.00
█ 2022	20.00	00.00	20.00
█ 2022	20.00	00.00	20.00

21. The Department correctly determined the Defendant committed an IPV and is subject to a 12-month penalty period. The Department correctly determined the Appellant overpaid for the period █ 2019 through █ 2019 equaling \$1,312.00, with the exception of █ 2022 where further review is needed and █ 2022 where the overpayment claim equals \$00.00, not \$20.00.

DECISION

The Defendant is found guilty of an IPV under SNAP regulations and the Department's request to impose a 12-month SNAP disqualification penalty is granted.

The Department's request to recover the SNAP overpayment claim for the period █ 2019 through █ 2022 is granted. The total overpayment claim for █ 2019 through █ 2022 and █ 1, 2022 through █ 2022 equals \$1,312.00. However, the overpayment claims for █ 2022 and █ 2022 are remanded back for further review.

ORDER

1. The Department must review the overpayment claim for █ 2022. On █ 2022, the Department issued the Defendant \$250.00 under the SNAP. The Department incorrectly determined the Defendant's █ 2022 SNAP benefit issued as \$00.00. The Department must review which portion of the █ 2022 benefit is the Defendant's regular benefit and which portion qualifies as pandemic allotment in order to properly

calculate the regular SNAP overpayment claim, if applicable, for [REDACTED] 2022.

2. The Department must recalculate [REDACTED] 2022 eligibility allowing the earned income deduction, resulting in a \$00.00 overpayment claim for [REDACTED] 2022.
3. Compliance is due 14 days from the date of this decision.

Lisa A. Nyren

Lisa A. Nyren
Fair Hearing Officer

Cc: OLCRAH.QA.DSS@ct.gov
Dominic Laird, Investigator, DSS

Addendum A-1
Spouse - Employers and Wages

Employer	Month and Year	Gross Wages
Delivery Service	█-19	\$158.48
Temporary Agency	█-19	\$52.00
	█-19	\$650.00
Retail Company	█-19	\$3,028.93
	█-19	\$810.90
Online Retailer	█-21	\$94.20
	█-22	\$1,519.38
	█-22	\$2,781.19
	█-22	\$1,351.52
	█-22	\$0.00
	█-22	\$0.00
	█-22	\$1,142.83
	█-22	\$1,599.73
	█-22	Not available

Addendum A-2
Son - Employers and Wages

Employer	Month and Year	Gross Wages
Restaurant	█-19	\$898.71
	█-19	\$918.83
	█-19	\$1,669.76
	█-20	\$1,791.58
	█-20	\$1,499.67
government employer	█-18	\$1,272.00
	█-18	\$2,268.32
	█-19	\$1,085.76
	█-21	\$1,596.08
	█-21	\$2,062.21
	█-22	\$1,004.32
Restaurant chain	█-22	\$220.47
	█-22	\$61.56
Restaurant bar	█-22	\$1,018.25
	█-22	\$1,693.75
	█-22	\$3,254.76
	█-22	Not available

Addendum B Spouse and Son UCB

UCB	Spouse Gross	Son Gross
█-20	na	\$95.00
█-20	\$110.00	\$76.00
█-20	\$550.00	\$95.00
█-20	\$440.00	\$76.00
█-20	\$550.00	\$95.00
█-20	\$440.00	\$76.00
█-20	\$440.00	\$76.00
█-20	\$550.00	\$95.00
█-20	\$440.00	\$76.00
█-21	\$440.00	\$76.00
█-21	\$440.00	\$76.00
█-21	\$550.00	\$57.00
█-21	\$440.00	\$0.00
█-21	\$220.00	na
█-22		\$70.00

Addendum C: SNAP Calculations

INCOME █████ 2019	
Earned Income	3,068.90
Less 20%	- 00.00
Total	3,068.90
Plus Unearned Income	+ 00.00
Total	3,068.90
Less standard deduction	164.00
Adjusted gross income (AGI)	2,904.90
SHELTER COSTS	
Rent	00.00
SUA	00.00
Total shelter costs	00.00
SHELTER HARDSHIP	
Shelter costs	00.00
Less 50% of AGI	-1,452.45
Total shelter hardship	00.00
ADJUSTED NET INCOME	
Adjusted gross income	2,904.90
Less shelter hardship	00.00
Net Adjusted Income (NAI)	2,904.90
BENEFIT CALCULATION	
Thrifty Food Plan for # Person/s	505.00
Less 30% of NAI	-872.00
SNAP	00.00
SNAP Overpayment (OP)	\$179.00

INCOME █████ 2019	
Earned Income	844.50
Less 20%	-00.00
Total	844.50
Plus Unearned Income	+00.00
Total	844.00
Less standard deduction	-164.00

Less child support	-26.66
Adjusted gross income	<u>484.94</u>
SHELTER COSTS	
Rent	00.00
SUA	<u>00.00</u>
Total shelter costs	00.00
SHELTER HARDSHIP	
Shelter costs	00.00
Less 50% of AGI	<u>-242.47</u>
Total shelter hardship	00.00
ADJUSTED NET INCOME	
Adjusted gross income	484.94
Less shelter hardship	-00.00
Net Adjusted Income (NAI)	484.94
BENEFIT CALCULATION	
Thrifty Food Plan for # Person/s	505.00
Less 30% of NAI	<u>-146.00</u>
SNAP award	358.00
SNAP OP	00.00

INCOME ████████019	
Earned Income	898.71
Less 20%	<u>-00.00</u>
Total	898.71
Plus Unearned Income	<u>+00.00</u>
Total	898.71
Less standard deduction	-167.00
Less child support	<u>-26.66</u>
Adjusted gross income	705.05
SHELTER COSTS	
Rent	00.00
SUA	<u>00.00</u>
Total shelter costs	00.00
SHELTER HARDSHIP	
Shelter costs	00.00
Less 50% of adjusted gross income	<u>-352.53</u>
Total shelter hardship	00.00
ADJUSTED NET INCOME	

Adjusted gross income	705.05
Less shelter hardship	-00.00
Net Adjusted Income (NAI)	705.05
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan for # Person/s	509.00
Less 30% of NAI	212.00
SNAP	297.00
SNAP OP	00.00

INCOME ■■■ 2019	
Earned Income	3,947.76
Less 20%	-00.00
Total	3,947.76
Plus Unearned Income	+00.00
Total	3,947.76
Less standard deduction	-167.00
Less child support	-26.66
Adjusted gross income (AGI)	3,754.10
<u>SHELTER COSTS</u>	
Rent	00.00
SUA	+00.00
Total shelter costs	00.00
<u>SHELTER HARDSHIP</u>	
Shelter costs	00.00
Less 50% of AGI	1,877.05
Total shelter hardship	00.00
<u>ADJUSTED NET INCOME</u>	
Adjusted gross income	3,754.10
Less shelter hardship	-00.00
Net Adjusted Income (NAI)	3,754.10
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan for # Person/s	509.00
Less 30% of NAI	1,127.00

SNAP	00.00
SNAP OP	190.00

INCOME [REDACTED] 2019	
Earned Income	2,480.66
Less 20%	<u>-00.00</u>
Total	<u>2,480.66</u>
Plus Unearned Income	<u>+00.00</u>
Total	2,480.66
Less standard deduction	-167.00
Less child support	-26.66
Adjusted gross income	2,287.00
<u>SHELTER COSTS</u>	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	00.00
<u>SHELTER HARDSHIP</u>	
Shelter costs	00.00
Less 50% of adjusted gross income	<u>-1,143.50</u>
Total shelter hardship	00.00
<u>ADJUSTED NET INCOME</u>	
Adjusted gross income	2,287.00
Less shelter hardship	<u>00.00</u>
Net Adjusted Income (NAI)	2,287.00
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan for # Person/s	509.00
Less 30% of NAI	<u>687.00</u>
	00.00
SNAP	
SNAP OP	190.00

INCOME [REDACTED] 2020	
Earned Income	1,791.58
Less 20%	<u>00.00</u>

Total	<u>1,791.58</u>
Plus Unearned Income	<u>00.00</u>
Total	<u>1,791.58</u>
Less standard deduction	<u>167.00</u>
Less child support	<u>26.66</u>
Adjusted gross income	<u>1,597.92</u>
<u>SHELTER COSTS</u>	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	<u>00.00</u>
<u>SHELTER HARDSHIP</u>	
Shelter costs	00.00
Less 50% of adjusted gross income	<u>798.96</u>
Total shelter hardship	00.00
<u>ADJUSTED NET INCOME</u>	
Adjusted gross income	1,597.92
Less shelter hardship	<u>00.00</u>
Net Adjusted Income (NAI)	<u>1,597.92</u>
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan for # Person/s	509.00
Less 30% of NAI	<u>480.00</u>
	29.00
SNAP	
SNAP OP	165.00

INCOME [REDACTED] 020	
Earned Income	1,499.67
Less 20%	<u>00.00</u>
Total	<u>1,499.67</u>
Plus Unearned Income	<u>00.00</u>
Total	<u>1,499.67</u>
Less standard deduction	<u>167.00</u>
Less child support	<u>26.66</u>
Adjusted gross income	<u>1,306.01</u>
<u>SHELTER COSTS</u>	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	<u>00.00</u>
<u>SHELTER HARDSHIP</u>	

Shelter costs	00.00
Less 50% of adjusted gross income	<u>653.01</u>
Total shelter hardship	00.00
ADJUSTED NET INCOME	
Adjusted gross income	1,306.01
Less shelter hardship	<u>00.00</u>
Net Adjusted Income (NAI)	1,306.01
BENEFIT CALCULATION	
Thrifty Food Plan for # Person/s	509.00
Less 30% of NAI	<u>392.00</u>
SNAP	117.00
SNAP OP	77.00

INCOME ■■■ 2020	
Earned Income	00.00
Less 20%	00.00
Total	00.00
Plus Unearned Income	00.00
Total	00.00
Less standard deduction	<u>167.00</u>
Less child support	<u>26.66</u>
Adjusted gross income	00.00
SHELTER COSTS	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	00.00
SHELTER HARDSHIP	
Shelter costs	00.00
Less 50% of adjusted gross income	00.00
Total shelter hardship	
ADJUSTED NET INCOME	
Adjusted gross income	00.00
Less shelter hardship	<u>00.00</u>
Net Adjusted Income (NAI)	00.00
BENEFIT CALCULATION	
Thrifty Food Plan for #	509.00

Person/s	
Less 30% of NAI	00.00
SNAP	509.00
SNAP OP	00.00

INCOME ████████020	
Earned Income	00.00
Less 20%	00.00
Total	00.00
Plus Unearned Income	95.00
Total	95.00
Less standard deduction	-167.00
Less child support	-26.66
Adjusted gross income	00.00
SHELTER COSTS	
Rent	00.00
SUA	+00.00
Total shelter costs	00.00
SHELTER HARDSHIP	
Shelter costs	00.00
Less 50% of adjusted gross income	00.00
Total shelter hardship	00.00
ADJUSTED NET INCOME	
Adjusted gross income	00.00
Less shelter hardship	00.00
Net Adjusted Income (NAI)	00.00
BENEFIT CALCULATION	
Thrifty Food Plan for # Person/s	509.00
Less 30% of NAI	00.00
SNAP	509.00
SNAP OP	00.00

INCOME █████ 2020	
Earned Income	00.00
Less 20%	00.00
Total	00.00
Plus Unearned Income	<u>458.00</u>
Total	458.00
Less standard deduction	<u>167.00</u>
Less child support	<u>26.66</u>
Adjusted gross income	264.34
SHELTER COSTS	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	00.00
SHELTER HARDSHIP	
Shelter costs	00.00
Less 50% of adjusted gross income	<u>132.17</u>
Total shelter hardship	00.00
ADJUSTED NET INCOME	
Adjusted gross income	264.34
Less shelter hardship	00.00
Net Adjusted Income (NAI)	264.34
BENEFIT CALCULATION	
Thrifty Food Plan for # Person/s	509.00
Less 30% of NAI	<u>80.00</u>
SNAP award	429.00
SNAP OP	00.00

INCOME █████ 2020 █████ 2020	
Earned Income	00.00
Less 20%	00.00
Total	00.00
Plus Unearned Income	<u>1,325.00</u>
Total	1,325.00
Less standard deduction	167.00
Less child support	<u>26.66</u>

Adjusted gross income	1,131.34
<u>SHELTER COSTS</u>	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	00.00
<u>SHELTER HARDSHIP</u>	
Shelter costs	00.00
Less 50% of adjusted gross income	<u>565.67</u>
Total shelter hardship	00.00
<u>ADJUSTED NET INCOME</u>	
Adjusted gross income	1,131.34
Less shelter hardship	<u>00.00</u>
Net Adjusted Income (NAI)	1,131.34
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan for # Person/s	509.00
Less 30% of NAI	<u>340.00</u>
	169.00
SNAP award	
	50.00
Overpayment claim 25 x 2 Months	

INCOME ■■■ 2020, ■■■ 2020	
Earned Income	00.00
Less 20%	<u>00.00</u>
Total	00.00
Plus Unearned Income	<u>1060.00</u>
Total	1060.00
Less standard deduction	167.00
Less child support	<u>26.66</u>
Adjusted gross income (AGI)	866.34
<u>SHELTER COSTS</u>	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	00.00
<u>SHELTER HARDSHIP</u>	
Shelter costs	00.00
Less 50% of AGI	<u>433.17</u>
Total shelter hardship	00.00

ADJUSTED NET INCOME	
AGI	866.34
Less shelter hardship	<u>00.00</u>
Net Adjusted Income (NAI)	866.34
BENEFIT CALCULATION	
Thrifty Food Plan for 3	509.00
Less 30% of NAI	<u>260.00</u>
	249.00
SNAP award	
	00.00
Overpayment Claim	

INCOME [REDACTED] 2020	
Earned Income	00.00
Less 20%	<u>00.00</u>
Total	00.00
Plus Unearned Income	<u>1060.00</u>
Total	1060.00
Less standard deduction	167.00
Less child support	<u>26.66</u>
Adjusted gross income (AGI)	866.34
SHELTER COSTS	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	00.00
SHELTER HARDSHIP	
Shelter costs	00.00
Less 50% of AGI	<u>433.17</u>
Total shelter hardship	00.00
ADJUSTED NET INCOME	
AGI	866.34
Less shelter hardship	<u>00.00</u>
Net Adjusted Income (NAI)	866.34
BENEFIT CALCULATION	
Thrifty Food Plan for 3	535.00
Less 30% of NAI	<u>260.00</u>

SNAP award	275.00
Overpayment Claim	00.00

INCOME ■■■ 020	
Earned Income	00.00
Less 20%	00.00
Total	00.00
Plus Unearned Income	<u>1,325.00</u>
Total	1,325.00
Less standard deduction	167.00
Less child support	<u>26.66</u>
Adjusted gross income	1,131.34
<u>SHELTER COSTS</u>	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	00.00
<u>SHELTER HARDSHIP</u>	
Shelter costs	00.00
Less 50% of adjusted gross income	<u>565.67</u>
Total shelter hardship	00.00
<u>ADJUSTED NET INCOME</u>	
Adjusted gross income	1,131.34
Less shelter hardship	<u>00.00</u>
Net Adjusted Income (NAI)	1,131.34
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan for # Person/s	535.00
Less 30% of NAI	<u>340.00</u>
SNAP award	195.00
Overpayment claim	00.00

INCOME ■■■ 2021, ■■■ 2021	
Earned Income	00.00
Less 20%	<u>00.00</u>
Total	00.00

Plus Unearned Income	<u>1060.00</u>
Total	1060.00
Less standard deduction	167.00
Less child support	<u>26.66</u>
Adjusted gross income (AGI)	866.34
<u>SHELTER COSTS</u>	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	00.00
<u>SHELTER HARDSHIP</u>	
Shelter costs	00.00
Less 50% of AGI	<u>433.17</u>
Total shelter hardship	00.00
<u>ADJUSTED NET INCOME</u>	
AGI	866.34
Less shelter hardship	<u>00.00</u>
Net Adjusted Income (NAI)	866.34
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan for 3	616.00
Less 30% of NAI	<u>260.00</u>
SNAP award	356.00
Overpayment Claim	00.00

INCOME ■■■ 2021	
Earned Income	00.00
Less 20%	<u>00.00</u>
Total	00.00
Plus Unearned Income	<u>1,287.00</u>
Total	1,287.00
Less standard deduction	167.00
Less child support	<u>00.00</u>
Adjusted gross income (AGI)	1,120.00
<u>SHELTER COSTS</u>	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	00.00
<u>SHELTER HARDSHIP</u>	

Shelter costs	00.00
Less 50% of AGI	<u>560.00</u>
Total shelter hardship	00.00
ADJUSTED NET INCOME	
AGI	1,120.00
Less shelter hardship	<u>00.00</u>
Net Adjusted Income (NAI)	1,120.00
BENEFIT CALCULATION	
Thrifty Food Plan for 3	616.00
Less 30% of NAI	<u>336.00</u>
SNAP award	280.00
Overpayment Claim	00.00

INCOME ■ 2021	
Earned Income	00.00
Less 20%	<u>00.00</u>
Total	00.00
Plus Unearned Income	<u>984.00</u>
Total	984.00
Less standard deduction	167.00
Less child support	<u>00.00</u>
Adjusted gross income (AGI)	817.00
SHELTER COSTS	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	00.00
SHELTER HARDSHIP	
Shelter costs	00.00
Less 50% of AGI	<u>408.50</u>
Total shelter hardship	00.00
ADJUSTED NET INCOME	
AGI	
Less shelter hardship	<u>00.00</u>
Net Adjusted Income (NAI)	
BENEFIT CALCULATION	
Thrifty Food Plan for 3	616.00
Less 30% of NAI	<u>246.00</u>

SNAP award	370.00
Overpayment Claim	00.00

INCOME █████ 2021	
Earned Income	00.00
Less 20%	<u>00.00</u>
Total	00.00
Plus Unearned Income	<u>426.00</u>
Total	426.00
Less standard deduction	167.00
Less child support	<u>00.00</u>
Adjusted gross income (AGI)	259.00
<u>SHELTER COSTS</u>	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	00.00
<u>SHELTER HARDSHIP</u>	
Shelter costs	00.00
Less 50% of AGI	<u>129.50</u>
Total shelter hardship	00.00
<u>ADJUSTED NET INCOME</u>	
AGI	259.00
Less shelter hardship	<u>00.00</u>
Net Adjusted Income (NAI)	259.00
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan for 3	616.00
Less 30% of NAI	<u>78.00</u>
	538.00
SNAP award	
	00.00
Overpayment Claim	

INCOME █████ 2021, █████ 2021, █████ 2021, █████ 2021	
Earned Income	00.00
Less 20%	00.00

Total	00.00
Plus Unearned Income	00.00
Total	
Less standard deduction	167.00
Less child support	00.00
Adjusted gross income (AGI)	
SHELTER COSTS	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	00.00
SHELTER HARDSHIP	
Shelter costs	00.00
Less 50% of AGI	00.00
Total shelter hardship	00.00
ADJUSTED NET INCOME	
AGI	00.00
Less shelter hardship	<u>00.00</u>
Net Adjusted Income (NAI)	00.00
BENEFIT CALCULATION	
Thrifty Food Plan for 3	616.00
Less 30% of NAI	00.00
	616.00
SNAP award	
	00.00
Overpayment Claim	

INCOME ■ 2021	
Earned Income	00.00
Less 20%	00.00
Total	00.00
Plus Unearned Income	00.00
Total	00.00
Less standard deduction	177.00
Less child support	<u>00.00</u>
Adjusted gross income (AGI)	00.00
SHELTER COSTS	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	00.00

SHELTER HARDSHIP	
Shelter costs	00.00
Less 50% of AGI	00.00
Total shelter hardship	00.00
ADJUSTED NET INCOME	
AGI	00.00
Less shelter hardship	00.00
Net Adjusted Income (NAI)	
BENEFIT CALCULATION	
Thrifty Food Plan for 3	658.00
Less 30% of NAI	00.00
SNAP award	658.00
Overpayment Claim	00.00

INCOME █████ 2021	
Earned Income	1596.08
Less 20%	00.00
Total	1596.08
Plus Unearned Income	00.00
Total	1596.08
Less standard deduction	177.00
Less child support	00.00
Adjusted gross income (AGI)	1,419.08
SHELTER COSTS	
Rent	00.00
SUA	+00.00
Total shelter costs	00.00
SHELTER HARDSHIP	
Shelter costs	00.00
Less 50% of AGI	709.54
Total shelter hardship	00.00
ADJUSTED NET INCOME	
AGI	1,419.08
Less shelter hardship	00.00
Net Adjusted Income (NAI)	1,419.08
BENEFIT CALCULATION	
Thrifty Food Plan for 3	658.00
Less 30% of NAI	426.00

SNAP award	232.00
Overpayment Claim	00.00

INCOME █████ 2021	
Earned Income	3,204.45
Less 20%	00.00
Total	3,204.45
Plus Unearned Income	<u>00.00</u>
Total	3,204.45
Less standard deduction	177.00
Less child support	<u>00.00</u>
Adjusted gross income (AGI)	3,027.45
<u>SHELTER COSTS</u>	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	00.00
<u>SHELTER HARDSHIP</u>	
Shelter costs	00.00
Less 50% of AGI	<u>1,513.73</u>
Total shelter hardship	00.00
<u>ADJUSTED NET INCOME</u>	
AGI	3,027.45
Less shelter hardship	<u>00.00</u>
Net Adjusted Income (NAI)	3,027.45
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan for 3	658.00
Less 30% of NAI	<u>909.00</u>
	00.00
SNAP award	
Overpayment Claim	127.00

INCOME █████ 022	
Earned Income	5,395.37
Less 20%	00.00

Total	5,395.37
Plus Unearned Income	00.00
Total	5,395.37
Less standard deduction	177.00
Less child support	00.00
Adjusted gross income (AGI)	5,218.37
SHELTER COSTS	
Rent	00.00
SUA	+00.00
Total shelter costs	00.00
SHELTER HARDSHIP	
Shelter costs	00.00
Less 50% of AGI	2,609.19
Total shelter hardship	00.00
ADJUSTED NET INCOME	
AGI	5,218.37
Less shelter hardship	00.00
Net Adjusted Income (NAI)	5,218.37
BENEFIT CALCULATION	
Thrifty Food Plan for 3	658.00
Less 30% of NAI	1,566.00
	00.00
SNAP award	
	127.00
Overpayment Claim	

INCOME ██████████ 2022	
Earned Income	6,213.54
Less 20%	00.00
Total	6,213.54
Plus Unearned Income	00.00
Total	6,213.54
Less standard deduction	177.00
Less child support	00.00
Adjusted gross income (AGI)	6,036.54
SHELTER COSTS	
Rent	00.00
SUA	+00.00
Total shelter costs	00.00

<u>SHELTER HARDSHIP</u>	
Shelter costs	00.00
Less 50% of AGI	<u>3,018.27</u>
Total shelter hardship	00.00
<u>ADJUSTED NET INCOME</u>	
AGI	6,036.54
Less shelter hardship	<u>00.00</u>
Net Adjusted Income (NAI)	6,036.54
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan for 3	658.00
Less 30% of NAI	<u>1,811.00</u>
SNAP award	00.00
Overpayment Claim	127.00

INCOME █████ 2022	
Earned Income	5,894.51
Less 20%	00.00
Total	5,894.51
Plus Unearned Income	00.00
Total	5,894.51
Less standard deduction	177.00
Less child support	<u>00.00</u>
Adjusted gross income (AGI)	5,717.51
<u>SHELTER COSTS</u>	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	00.00
<u>SHELTER HARDSHIP</u>	
Shelter costs	00.00
Less 50% of AGI	<u>2,858.76</u>
Total shelter hardship	00.00
<u>ADJUSTED NET INCOME</u>	
AGI	5,717.51
Less shelter hardship	<u>00.00</u>
Net Adjusted Income (NAI)	5,717.51
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan for 3	658.00
Less 30% of NAI	<u>1,716.00</u>

SNAP award	00.00
Overpayment Claim	unable to determine

INCOME ■■■ 2022	
Earned Income	2,653.55
Less 20%	530.71
Total	2,122.84
Plus Unearned Income	00.00
Total	2,177.84
Less standard deduction	177.00
Less child support	68.60
Adjusted gross income (AGI)	1,877.04
<u>SHELTER COSTS</u>	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	00.00
<u>SHELTER HARDSHIP</u>	
Shelter costs	00.00
Less 50% of AGI	<u>938.52</u>
Total shelter hardship	00.00
<u>ADJUSTED NET INCOME</u>	
AGI	
Less shelter hardship	<u>00.00</u>
Net Adjusted Income (NAI)	1,877.04
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan for 3	658.00
Less 30% of NAI	<u>564.00</u>
	94.00
SNAP award	
	00.00
Overpayment Claim	

INCOME ■■■■■	
Earned Income	3,022.34
Less 20%	604.46
Total	2,417.88

Plus Unearned Income	00.00
Total	2,417.88
Less standard deduction	177.00
Less child support	<u>68.60</u>
Adjusted gross income (AGI)	2,172.08
<u>SHELTER COSTS</u>	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	00.00
<u>SHELTER HARDSHIP</u>	
Shelter costs	00.00
Less 50% of AGI	<u>1,086.04</u>
Total shelter hardship	00.00
<u>ADJUSTED NET INCOME</u>	
AGI	2,172.08
Less shelter hardship	<u>00.00</u>
Net Adjusted Income (NAI)	2,172.08
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan for 3	658.00
Less 30% of NAI	<u>652.00</u>
SNAP award	Calculated benefit under minimum, therefore \$00.00
Overpayment Claim	20.00

INCOME ██████████	
Earned Income	5,123.06
Less 20%	796.04
Total	4,327.02
Plus Unearned Income	00.00
Total	4,327.02
Less standard deduction	177.00
Less child support	<u>68.80</u>
Adjusted gross income (AGI)	4,081.22
<u>SHELTER COSTS</u>	
Rent	00.00
SUA	<u>+00.00</u>

Total shelter costs	00.00
SHELTER HARDSHIP	
Shelter costs	00.00
Less 50% of AGI	<u>2,040.61</u>
Total shelter hardship	00.00
ADJUSTED NET INCOME	
AGI	4,081.22
Less shelter hardship	00.00
Net Adjusted Income (NAI)	4,081.22
BENEFIT CALCULATION	
Thrifty Food Plan for 3	658.00
Less 30% of NAI	<u>1,225.00</u>
	00.00
SNAP award	
	20.00
Overpayment Claim	

INCOME [REDACTED]	
Earned Income	3,880.03
Less 20%	776.00
Total	3,104.03
Plus Unearned Income	00.00
Total	3,104.03
Less standard deduction	177.00
Less child support	<u>68.80</u>
Adjusted gross income (AGI)	2,858.23
SHELTER COSTS	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	00.00
SHELTER HARDSHIP	
Shelter costs	00.00
Less 50% of AGI	<u>1,429.12</u>
Total shelter hardship	00.00
ADJUSTED NET INCOME	
AGI	2,858.23
Less shelter hardship	<u>00.00</u>
Net Adjusted Income (NAI)	2,858.23
BENEFIT CALCULATION	
Thrifty Food Plan for 3	658.00

Less 30% of NAI	<u>858.00</u>
SNAP award	00.00
Overpayment Claim	20.00

INCOME [REDACTED]	
Earned Income	3,186.98
Less 20%	637.40
Total	2,549.58
Plus Unearned Income	00.00
Total	2,549.58
Less standard deduction	177.00
Less child support	68.80
Adjusted gross income (AGI)	2303.78
<u>SHELTER COSTS</u>	
Rent	00.00
SUA	<u>+00.00</u>
Total shelter costs	00.00
<u>SHELTER HARDSHIP</u>	
Shelter costs	00.00
Less 50% of AGI	<u>1,151.89</u>
Total shelter hardship	00.00
<u>ADJUSTED NET INCOME</u>	
AGI	2303.78
Less shelter hardship	00.00
Net Adjusted Income (NAI)	2303.78
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan for 3	658.00
Less 30% of NAI	<u>692.00</u>
SNAP award	00.00
Overpayment Claim	20.00

RIGHT TO APPEAL

The defendant has the right to appeal this decision to Superior Court within 45 days of the mailing of this decision. 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 06105-3725. 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 her 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 defendant resides.