

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

██████████ 2023  
Signature Confirmation

Case ID # ██████████  
Client ID ██████████  
Request #205940

**NOTICE OF DECISION**

**PARTY**

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

**PROCEDURAL BACKGROUND**

On ██████████, 2022, the Department of Social Services (the “Department”) sent ██████████ (the “Appellant”) a Notice of Action (“NOA”) denying his request for Supplemental Nutritional Assistance Program (“SNAP”) benefits.

On ██████████, 2022, the Appellant requested an administrative hearing to contest the Department’s decision to deny such benefits.

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

On ██████████, 2022, in accordance with sections 17b-60, 17b-61 and 4-176e to 4-189, inclusive, of the Connecticut General Statutes, OLCRAH held an administrative hearing by telephone.

The following individuals were present at the hearing:

██████████, Appellant  
██████████, Appellant’s spouse  
██████████, Appellant’s daughter and Authorized Representative  
Joshua Ives, Department’s Representative  
Scott Zuckerman, Hearing Officer

## **STATEMENT OF THE ISSUE**

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

## **FINDINGS OF FACT**

1. On [REDACTED] [REDACTED] 2022, the Appellant applied for SNAP benefits for a household of two. (Exhibit 1: W-1E Application for Benefits)
2. On [REDACTED], 2022, the Department conducted the SNAP telephone interview. The Department sent the Appellant a W-1348, Proofs We Need requesting information need to establish eligibility for the SNAP. The Department requested proof of the effective date of immigration status or non-citizen status for [REDACTED]. The Department requested a copy of her alien registration card both front and back. The due date for the requested information was [REDACTED] 2022. (Exhibit 3: Proofs We Need, [REDACTED] 2022)
3. On [REDACTED], 2022, the Department received a copy of the Appellant's spouses' I – 151 immigration document. The Department was unable to read the copy as it was too dark. (Hearing Summary and Exhibit 4: I – 151)
4. On [REDACTED] 2022, the Department conducted a thirty - day SNAP review, processed the immigration document and determined the requested verification was insufficient because it could not be read. The Department made two calls to the Appellant and left a voicemail that verification was insufficient. (Department's testimony, Hearing Summary, and Exhibit 9: Document Search)
5. On [REDACTED], 2022, the Department sent the Appellant a Notice of Action. The notice stated the Appellant's application for SNAP benefits was denied for the reason, "You did not return all of the required proofs by the date we asked." (Exhibit 4: Notice of Action, [REDACTED] 2022)
6. The issuance of this decision is timely under the Code of Federal Regulations § 273.15 which states that a decision must be reached, and the household notified within 60 days of receipt of a request for a fair hearing. The Appellant requested an administrative hearing on [REDACTED], 2022. Therefore, this decision is due not later than [REDACTED] 2022, and is therefore timely. (Hearing Record)

### **CONCLUSIONS OF LAW**

1. Section 17b-2 of the Connecticut General Statutes authorizes the Commissioner of the Department of Social Services to administer the SNAP in accordance with federal law.
2. Title 7 of the Code of Federal Regulations (“C.F.R.”) § 273.2(e)(1) provides in part that except for households certified for longer than 12 months, and except as provided in paragraph (e)(2) of this section, households must have a face to face interview with an eligibility worker at initial certification and at least once every 12 months thereafter. State Agencies may not require to report for an in office interview during their certification period, though they may request households to do so.
3. Title 7 C.F.R. § 273.2(e)(2) provides that the State agency may use a telephone interview instead of the face-to-face interview required in paragraph (e)(1) of this section for all applicant households, for specified categories of households, or on a case-by-case basis because of household hardship situations as determined by the State agency. The hardship conditions must include, but are not limited to, illness, transportation difficulties, care of a household member, hardships due to residency in a rural area, prolonged severe weather, or work or training hours that prevent the household from participating in an in-office interview. If a State agency has not already provided that a telephone interview will be used for a household, and that household meets the State agency's hardship criteria and requests to not have an in-office interview, the State agency must offer to the household to conduct the interview by telephone. The State agency may provide a home-based interview only if a household meets the hardship criteria and requests one. A State agency that chooses to routinely interview households by telephone in lieu of the face-to-face interview must specify this choice in its State plan of operation and describe the types of households that will be routinely offered a telephone interview in lieu of a face-to-face interview. The State agency must grant a face-to-face interview to any household that requests one.

#### **The Appellant completed the required SNAP telephone interview.**

4. Title 7 C.F.R. § 273.14(b)(4) provides that information provided by the household shall be verified in accordance with §273.2(f)(8)(i). The State agency shall provide the household a notice of required verifications provided in §273.2(c)(5) and notify the household of the date by which the verification requirements must be satisfied. The household must be allowed a minimum of 10 days to provide the required verification information. Any household whose eligibility is not determined by the end of its current certification period due to the time period allowed for submitting any missing verification shall receive an

opportunity to participate, if eligible, within 5 working days after the household submits the missing verification and benefits cannot be prorated.

5. Title 7 C.F.R. § 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.
6. Title 7 C.F.R. § 273.2(f)(4)(i) provides that State agencies shall use documentary evidence as the primary source of verification for all items except residency and household size. These items may be verified either through readily available documentary evidence or through a collateral contact, without a requirement being imposed that documentary evidence must be the primary source of verification. Documentary evidence consists of a written confirmation of a household's circumstances. Examples of documentary evidence include wage stubs, rent receipts, and utility bills. Although documentary evidence shall be the primary source of verification, acceptable verification shall not be limited to any single type of document and may be obtained through the household or other source. Whenever documentary evidence cannot be obtained or is insufficient to make a firm determination of eligibility or benefit level, the eligibility worker may require collateral contacts or home visits. For example, documentary evidence may be considered insufficient when the household presents pay stubs which do not represent an accurate picture of the household's income (such as out-dated pay stubs) or identification papers that appear to be falsified.
7. Title 7 C.F.R. § 273.2(h)(i)(C) provides for in cases where verifications in incomplete, the State agency must have provided the household with a statement of required verification and offered to assist the household with obtaining required verification and allowed the household sufficient time to provide the missing verification. Sufficient time shall be at least 10 days from the date of the State agency's initial request for the verification that was missing.

**The Department correctly sent the Appellant the W1348 Proofs We Need form requesting proofs needed to determine eligibility and allowed 10 days to provide.**

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

Title 7 C.F.R. § 273.2(f)(10) provides that Households are required to submit Documentation for each alien applying for SNAP benefits in order for the State agency to verify their immigration statuses. State agencies shall verify the validity of such documents through an immigration status verification system established under section 1137 of the Social Security Act in

accordance with [§ 272.11 of this chapter](#). USCIS maintains the SAVE system to conduct this verification. When using SAVE to verify immigration status, State agencies shall use the following procedures: The State agency shall provide an applicant alien with a reasonable opportunity to submit acceptable documentation of their eligible alien status prior to the 30th day following the date of application. A reasonable opportunity shall be at least 10 days from the date of the State agency's request for an acceptable document. An alien who has been given a reasonable opportunity to submit acceptable documentation and has not done so as of the 30th day following the date of application shall not be certified for benefits until acceptable documentation has been submitted. However, if the 10-day reasonable opportunity period provided by the State agency does not lapse before the 30th day following the date of application, the State agency shall provide the household with benefits no later than 30 days following the date of application *Provided* the household is otherwise eligible.

9. Title 7 C.F.R. 273.2 (g)(3) provides for denying the application and states households that are found to be ineligible shall be sent a notice of denial as soon as possible but not later than 30 days following the date the application was filed. If the household has failed to appear for a scheduled interview and has made no subsequent contact with the State agency to express interest in pursuing the application, the State agency shall send the household a notice of denial on the 30th day following the date of application.

**The Appellant failed to provide an acceptable legible copy of his spouses' alien registration card by the 30<sup>th</sup> day following the date of application.**

**The Department correctly denied the Appellant's application for SNAP benefits on [REDACTED], 2022, because the Appellant did not submit the required information by the due date.**

### **DECISION**

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

*Scott Zuckerman*  
Scott Zuckerman  
Hearing Officer

Pc: Tim Latifi, Operations Manager, DSS, New Britain Regional Office  
Joshua Ives, Fair Hearing Liaison, DSS, New Britain Regional 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.