

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

██████████, 2023  
Signature confirmation

Case: ██████████  
Client: ██████████  
Request: 219699

**NOTICE OF DECISION**

**PARTY**

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

**PROCEDURAL BACKGROUND**

On ██████████, 2023, the Department of Social Services (the “Department”) issued ██████████ ██████████ (the “Appellant”) a *Notice of Action* terminating his household’s Supplemental Nutrition Assistance Program (“SNAP”) benefits.

On ██████████, 2023, the Office of Legal Counsel, Regulations, and Administrative Hearings (“OLCRAH”) received the Appellant’s online hearing request. On ██████████ 2023, the OLCRAH scheduled the administrative hearing for ██████████ 2023.

On ██████████ 2023, in accordance with sections 17b-60, 17b-61 and 4-176e to 4-189, inclusive, of the Connecticut General Statutes, and Section 273.15 (a) of Title 7 of the Code of Federal Regulations (“C.F.R.”), the OLCRAH held the hearing by telephone. The following individuals participated:

████████████████████, Appellant  
Shannon Shlash, Department Representative  
Eva Tar, Hearing Officer

The hearing record closed ██████████, 2023.

**STATEMENT OF ISSUE**

The issue is whether the Department’s termination of the Appellant’s SNAP benefits was supported by Federal regulations governing the SNAP.

**FINDINGS OF FACT**

1. The ■-year-old Appellant, his ■-year-old wife, and their ■- and ■-year-old children reside in a house that the Appellant rents for \$2,750.00 per month. (Exhibits 1, 6, and 11)
2. Since ■■■■■ 2022, the Appellant has worked at ■■■■■ (“the gas station”) for \$15.00 per hour, 25 hours per week. (Exhibit 3)
3. The Appellant’s wife and the Appellant’s ■-year-old are not employed. (Appellant Testimony)
4. The Appellant’s SNAP certification period ran from ■■■■■ 2022 through ■■■■■ 2023. (Exhibit 12)
5. During the prior SNAP certification period, the Department’s records identified the Appellant’s income as \$15,000.00 per year as an ■■■■■. (Exhibit 12)
6. On ■■■■■, 2023, the Department issued a *Notice of Renewal of Eligibility* to the Appellant requesting a completed SNAP renewal form, an interview, and proofs by ■■■■■ 2023 or his household’s SNAP benefits may stop. (Exhibit 12)
7. On ■■■■■ 2023, the Appellant submitted an online SNAP redetermination form to the Department. (Exhibit 1)
8. On the ■■■■■ 2023 SNAP redetermination form, the Appellant reported starting employment at the gas station. (Exhibit 1)
9. On ■■■■■, 2023, the Department received four paystubs verifying the Appellant’s gross income for the pay weeks of ■■■■■ 2023, ■■■■■ 2023, ■■■■■, 2023, and ■■■■■ 2023 as \$375.00 per week. (Exhibit 3) (Hearing record)
10. The Appellant’s verified wages from his part-time employment at the gas station (\$1,500.00 for four weeks) were significantly less than his household’s monthly rent (\$2,750.00). (Exhibits 3, 6, and 11)
11. On ■■■■■ 2023, the Appellant completed the required interview. (Hearing summary)
12. During the ■■■■■ 2023 telephone interview, when questioned as to how the Appellant was able to meet the monthly rent on his wages from the gas station, the Appellant reported to the Department that he worked as an ■■■■■. The interviewer asked the Appellant to submit his ■■■■■ tax records. (Hearing summary)
13. On ■■■■■, 2023, the Department mailed a *Proofs We Need* to the Appellant, asking for the submission by ■■■■■ 2023 of proof of how the Appellant’s rent was being paid. (Exhibit 4)
14. On ■■■■■, 2023, the Appellant submitted his ■■■■■ tax records that incorporated his employment at the gas station and self-employment as a ■■■■■; the name of the ■■■■■ was left blank. (Exhibit 5)

15. The Appellant later told the Department Representative that he was no longer ran [REDACTED], he was five months behind on his rent, and relatives gave him money to meet his bills. (Department Representative Testimony)
16. In [REDACTED] 2023 and [REDACTED] 2023, the Appellant was current on his rent. (Exhibits 6 and 11)
17. On [REDACTED], 2023, the Department issued a *Notice of Action* terminating the Appellant's SNAP benefits. (Exhibit 7)
18. On [REDACTED] 2023, the Department issued a *Worker Generated Request for Proofs* to the Appellant, requesting the submission by [REDACTED], 2023 of the following: 1) a landlord statement as to the rental situation; 2) written statements from any relatives who provided him with money with the exact amount given, signed, dated, and with their contact information; and 3) proof of last three months of income and expenses for [REDACTED] job. (Exhibit 10)
19. On [REDACTED], 2023, the Appellant submitted the following to the Department: an [REDACTED] 2023 correspondence from his landlord confirming receipt of the Appellant's [REDACTED] 2023 and [REDACTED] 2023 rent payments; and an [REDACTED], 2023 letter stating that the Appellant had stopped running [REDACTED]. (Exhibits 6 and 11)
20. The Appellant did not submit written statements from the relatives who provided his household with money to help with its bills. (Department Representative Testimony)
21. The Appellant's communications to the Department throughout [REDACTED] 2023 and [REDACTED] 2023 contained conflicting and inconsistent information as to his household's income sources and whether he was current or behind with his rent. (Department Representative Testimony)
22. The Appellant's testimony that he used up his past savings and received monetary help from his wife's relatives to pay his rent and other bills was not credible; the testimony was vague, lacking in detail, and unsubstantiated.
23. Title 7, Section 273.15 (c)(1) of the Code of Federal Regulations ("C.F.R.") provides: "Within 60 days of receipt of a request for a fair hearing, the State agency shall assure that the hearing is conducted, a decision is reached, and the household and local agency are notified of the decision...." On [REDACTED] 2023, the OLCRAH received the Appellant's online hearing request; this hearing decision would have become due by no later than [REDACTED], 2023. This decision is timely.

#### CONCLUSIONS OF LAW

1. The Department is the state agency for the administration of the SNAP pursuant to the supplemental nutrition assistance program pursuant to the Food and Nutrition Act of 2008. Conn. Gen. Stat. § 17b-2.

**The Department has the authority under State statute to administer the SNAP in Connecticut.**

2. Title 7, Code of Federal Regulations (“C.F.R.”), Section 273.14 (a) provides: “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. ... Households must apply for recertification and comply with interview and verification requirements.”

**The Department correctly concluded that for the Appellant’s household to continue to receive SNAP benefits after the expiration of his certification period on [REDACTED], 2023, the Appellant had to apply for recertification, complete an interview, and comply with verification requirements.**

**The Appellant’s SNAP benefits terminated effective [REDACTED] 2023 in accordance with 7 C.F.R. § 273.14 (a) as his one-year certification period expired without the Department’s determination of eligibility for a new period.**

3. “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....” 7 C.F.R. § 273.14 (b)(3).

**The Appellant complied with the SNAP interview requirement in accordance with 7 C.F.R. § 273.14 (b)(3).**

4. “If an eligible household files an application before the end of the certification period but the recertification process cannot be completed within 30 days after the date of application because of State agency fault, the State agency must continue to process the case and provide a full month’s allotment for the first month of the new certification period....” 7 C.F.R. § 273.14 (e)(1).

**Although the Department failed to complete the recertification process within 30 days of the Appellant’s submission of the [REDACTED] 2023 redetermination form, the Department correctly continued to process the Appellant’s recertification in accordance with 7 C.F.R. § 273.14 (e)(1) when it issued the [REDACTED] 2023 *Proofs We Need* to the Appellant.**

5. “At recertification the State agency shall verify a change in income if the source has changed or the amount has changed by more than \$50. ... The State agency shall not verify income if the source has not changed and if the amount is unchanged or has changed by \$50 or less, unless the information is incomplete, inaccurate, inconsistent or outdated....” 7 C.F.R. § 273.2 (f)(8)(i)(A).

**The Department correctly requested verification of the household income of the Appellant’s household as part of the recertification process, as both the Appellant’s household income sources had changed and the amount of household income had changed by more than \$50.00.**

6. “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 verification as 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 required verification information....” 7 C.F.R. § 273.14 (b)(4).

**On its [REDACTED] 2023 Proofs We Need and its follow-up [REDACTED] 2023 Worker Generated Request for Proofs, the Department correctly gave the Appellant at least 10 days to submit verification as to his income sources.**

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

**The Appellant was responsible for providing documentary evidence to the Department to support the assertions he made as to his household’s income sources.**

**The Appellant’s [REDACTED] 2023 redetermination form contained questionable information as to his household’s income vs. his household’s rental expense which were not resolved by his statements during his [REDACTED], 2023 interview.**

**The Department’s correctly determined that the Appellant’s failure to provide written statements from his relatives as to their monetary contributions to his household to the Department by its [REDACTED], 2023 deadline rendered his household ineligible to participate in the SNAP.**

**The Department’s termination of the Appellant’s SNAP benefits was supported by Federal regulations governing the SNAP.**

### **DISCUSSION**

The Appellant failed to provide proof of the income his household receives from relatives by the Department’s [REDACTED] 2023 deadline. The Department’s action were supported by Federal regulations governing the SNAP.

The Appellant may reapply for SNAP benefits at any time.

### **DECISION**

The Appellant’s appeal is DENIED.

*Eva Tar-electronic signature*  
Eva Tar  
Hearing Officer

Cc: Shannon Shlash, DSS-New Haven  
Sarah Chmielecki, DSS-New Haven  
Tim Latifi, DSS-New Haven  
Ralph Filek, DSS-New Haven

### **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.