

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

[REDACTED], 2024
SIGNATURE CONFIRMATION

Case ID # [REDACTED]
Client ID # [REDACTED]
Request # [REDACTED]

ADMINISTRATIVE DISQUALIFICATION HEARING

**NOTICE OF DECISION
PARTY**

[REDACTED]
[REDACTED]
[REDACTED]

PROCEDURAL BACKGROUND

The Department of Social Services (the "Department") requested an Administrative Disqualification Hearing ("ADH") to seek the disqualification of [REDACTED] (the "Defendant") from participating in the Supplemental Nutritional Assistance Program ("SNAP") for a period of twelve (12) months. The Department alleges that the Defendant committed an Intentional Program Violation ("IPV") by failing to report household income. The Department also seeks to recover \$1,746.00 in SNAP benefits they identified as being overpaid.

On [REDACTED], 2024, the Office of Legal Counsel, Regulations, and Administrative Hearings ("OLCRAH") notified the Defendant of the initiation of the ADH process via certified mail and scheduled an in-person hearing for [REDACTED], 2024, at 10:00 AM. The notification outlined a Defendant's rights in these proceedings.

On [REDACTED], 2024, the Defendant signed for the certified letter per United States Postal Service ("USPS") tracking.

On [REDACTED], 2024, in accordance with Sections § 17b-88 of the Connecticut General Statutes and Title 7 § 273.16 of the Code of Federal Regulations ("C.F.R.") the OLCRAH held an Administrative Disqualification Hearing. The Defendant did not appear for the hearing. The Defendant did not show good cause for failing to appear. The following individuals were present at the hearing:

Christopher Pinto, Social Services Investigator, Department's Representative
Joseph Davey, Administrative Hearing Officer

STATEMENT OF THE ISSUE

The issue is whether the Defendant committed an IPV of the SNAP program and is subject to a twelve (12) month disqualification penalty.

A secondary issue is whether the Department's proposal to recoup a SNAP overpayment totaling \$1,746.00 is correct.

FINDINGS OF FACT

1. The Defendant is [REDACTED] (■■) years old (DOB [REDACTED]), is not disabled, and was a recipient of the SNAP as a household of one (1) during the time of the alleged IPV. (Exhibit 3: W-1EDDS Redetermination dated [REDACTED], Exhibit 8: NOA dated [REDACTED], Department's testimony, Exhibit 14: Household Individuals – Questions screenshot)
2. On [REDACTED], 2023, the Department issued a NOA to the Defendant approving his SNAP benefits for a household of one for the period of [REDACTED], 2023, through [REDACTED], 2024. The NOA provided the following SNAP reporting rules in relevant part: *"You must call the Benefit Center at 1-855-626-6632 to report the following changes to us during your SNAP period of eligibility: 1. If your household's total monthly gross income is more than \$1,473.00. Total monthly gross income is all wages from working and money you get from any other source before taxes and deductions...You must report changes to us by the 10th day of the month following the month of the change. For example if your income goes over the limit in [REDACTED] you must tell us by [REDACTED] 10th."* (Exhibit 8)
3. On [REDACTED], 2023, [REDACTED] hired the Defendant. The Defendant started working for [REDACTED] on [REDACTED], 2023, and received his first paycheck on [REDACTED], 2023. (Exhibit 7: Work Number printout, Hearing Record)
4. On [REDACTED], 2023, the Defendant was active on the SNAP as a household of one (1) with a certification period of [REDACTED], 2023, through [REDACTED], 2024. (Exhibit 8)
5. On [REDACTED], 2024, the Defendant entered the Department's Regional Office and completed a W-1EDDS redetermination form to recertify his SNAP benefits. The Department ran the Defendant's Social Security number through the Department of Labor ("DOL") database as part of the recertification process. The DOL database displayed that the Defendant had earnings at [REDACTED]. The Department then ran the Defendant's Social Security number through a wage verification website named The Work Number and was able to obtain the Defendant's date of hire and wages at [REDACTED]. The Defendant did not dispute his employment with [REDACTED]

██████████ and stated to the Department that he was “going to stop working in the next few weeks.” (Exhibit 3, Exhibit 7, Exhibit 11: Case notes dated ██████████ - ██████████)

6. Between ██████████, 2023, and ██████████, 2024. The Defendant received the following gross weekly wages from ██████████:

Pay Date	Gross Wages
██████████/2023	\$510.00
██████████/2023	\$680.00
Total ██████████/2023	\$1,190.00
██████████/2023	\$640.00
██████████/2023	\$680.00
██████████/2023	\$320.00
██████████/2023	\$680.00
██████████/2023	\$480.00
Total ██████████/2023	\$2,800.00
██████████/2023	\$408.00
██████████/2023	\$510.00
██████████/2023	\$646.00
██████████/2023	\$680.00
Total ██████████/2023	\$2,244.00
██████████/2023	\$680.00
██████████/2023	\$510.00
██████████/2023	\$510.00
██████████/2023	\$340.00
Total ██████████/2023	\$2,040.00
██████████/2023	\$680.00
██████████/2023	\$541.11
██████████/2023	\$544.00
██████████/2023	\$754.21
██████████/2023	\$816.00
Total ██████████/2023	\$3,335.32
██████████/2023	\$671.50
██████████/2023	\$289.00
██████████/2023	\$884.00
██████████/2023	\$731.00
Total ██████████/2023	\$2,575.50
██████████/2024	\$854.25
██████████/2024	\$905.25
██████████/2024	\$858.50

██████/2024	\$663.00
Total █████/2024	\$3,281.00
██████/2024	\$896.75
██████/2024	\$769.25
██████/2024	\$442.00
██████/2024	\$960.50
██████/2024	\$646.00
Total █████/2024	\$3,714.50
██████/2024	\$671.50
Total █████/2024- ██████/2024	\$671.50

(Exhibit 7)

7. On █████, 2024, the Department calculated the Defendant's anticipated weekly income from █████ using pay dates █████, 2024, █████, 2024, █████, 2024, and █████, 2024¹. The anticipated income was calculated as follows: █████/24 \$442.00 + █████/2024 \$960.50 + █████/2024 \$646.00 + █████/2024 \$671.50 = \$2,720.00 / 4 = \$680.00. Using the Department's anticipated weekly income and the Defendant's actual pay from █████ on █████, 2024, the Defendant's income for █████ 2024 is as follows: █████/2024 \$671.50 (actual) + █████/2024 \$680.00 (anticipated) + █████/2024 \$680.00 (anticipated) + █████/2024 \$680.00 (anticipated) = \$2,711.50. (Exhibit 11, Hearing Record)
8. The Defendant paid \$600.00 per month in rent and paid for a heating/cooling expense during the time of the alleged IPV. (Exhibit 3, Exhibit 8, Exhibit 12: NOA dated █████, Exhibit 13: NOA dated █████)
9. On █████, 2024, the Department's Regional Office initiated a fraud referral to the Investigations Division regarding the Defendant's failure to report his employment with █████. (Exhibit 1: Impact Referral dated █████, Exhibit 11)
10. On █████, 2024, the Department sent a NOA to the Defendant closing his SNAP benefits effective █████, 2024, for exceeding the SNAP gross income limit for a household of one [1]. (Exhibit 12)
11. The Defendant did not report his employment at █████ until the Department discovered it via the DOL match on █████, 2024. The Defendant did not provide verification that he stopped working for █████. (Exhibit 11, Exhibit 16: Document Search █████-█████, Department's testimony)

¹ The Work Number database displayed the pay date █████/2024 on █████/2024.

12. The Defendant was required to report his income from [REDACTED] by [REDACTED] 2023; the month following the month his income exceeded the threshold for reporting. Therefore, the Department alleges the Defendant committed an IPV of the SNAP starting in [REDACTED] 2023. (Department's testimony, Hearing Record)

12. The Defendant received the following SNAP benefits for the period during which the Department alleges a SNAP overpayment occurred:

Month	Amount
[REDACTED]/2023	\$291.00
[REDACTED]/2023	\$291.00
[REDACTED]/2023	\$291.00
[REDACTED]/2024	\$291.00
[REDACTED]/2024	\$291.00
[REDACTED]/2024	\$291.00
Total [REDACTED]/2023-[REDACTED]/2024	\$1,746.00

(Exhibit 9: Benefit Issuance dated [REDACTED] - [REDACTED])

13. The Department calculated the Defendant's SNAP overpayments as follows:

Month	SNAP received	SNAP eligible	Overpayment
[REDACTED]/2023	\$291.00	\$0.00	\$291.00
[REDACTED]/2023	\$291.00	\$0.00	\$291.00
[REDACTED]/2023	\$291.00	\$0.00	\$291.00
[REDACTED]/2024	\$291.00	\$0.00	\$291.00
[REDACTED]/2024	\$291.00	\$0.00	\$291.00
[REDACTED]/2024	\$291.00	\$0.00	\$291.00
Total [REDACTED]/2023-[REDACTED]/2024	\$1,746.00	\$0.00	\$1,746.00

(Exhibit 10: SNAP Computation sheets [REDACTED] - [REDACTED], Department's Testimony, Hearing Record)

14. On [REDACTED], 2024, the Department sent the Defendant a Notice of Prehearing Interview form W-1448 ["W-1448,"] and a Waiver of Disqualification Hearing form W-1449 ["W-1449"]. The W-1448 scheduled a Prehearing Interview for the Defendant on [REDACTED], 2024, at 10:00 AM. (Exhibit 2: W-1448/W-1449 dated [REDACTED])

15. On [REDACTED], 2024, the Defendant met with Investigator Pinto at the [REDACTED] Regional Office and completed the Prehearing Interview. Investigator Pinto spoke with the Defendant and explained that the Defendant had failed to report his income with [REDACTED] and was overpaid \$1,746.00 in SNAP benefits between [REDACTED] 2023 and [REDACTED] 2024. The Defendant stated that he understood but wished to proceed with an administrative hearing. The Defendant signed the W-1449 and checked the box indicating *"I have read this notice and wish to exercise my right to have an administrative hearing."* (Exhibit 2, Department's testimony, Hearing Record)

16. The Defendant's case has not been referred for civil or criminal prosecution (Department's Testimony)
17. The Defendant has no prior IPV's. (Exhibit 4: USDA EDRS Results, Department's testimony)
18. The Defendant was not present at the hearing and did not show good cause for failing to appear. (Hearing Record)
19. The issuance of this decision is timely under Title 7 of the Code of Federal Regulations ("C.F.R") § 273.16(e)(2)(iv) which provides that within ■ days of the date the household member is notified in writing that a State or local hearing initiated by the State agency has been scheduled, the State agency shall conduct the hearing, arrive at a decision, and notify the household member and local agency of the decision. The Department notified the Defendant on ■■■■■, 2024, and held the administrative hearing on ■■■■■, 2024; therefore, this decision is due no later than ■■■■■, 2024.

CONCLUSIONS OF LAW

1. Section 17b-2(7) of the Connecticut General Statutes ("Conn. Gen. Stat.") provides that the Department of Social Services be designated as the state agency for the administration of the Supplemental Nutrition Assistance Program pursuant to the Food and Nutrition Act of 2008.

The Department has the authority to administer the SNAP.

2. Conn. Gen. Stat. § 17b-88 provides 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 (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.

The Department has the authority to recoup SNAP benefits.

3. Title 7 C.F.R. Section 273.16(e) provides that the State agency shall conduct administrative disqualification hearings for individuals accused of an Intentional Program Violation.

The Department has the authority to conduct Administrative Disqualification Hearings.

4. 7 C.F.R. § 273.16(e)(3) provides for the advance notice of the hearing. (i) The State agency shall provide written notice to the individual suspected of committing an intentional Program violation at least 30 days in advance of the date a disqualification hearing initiated by the State agency has been scheduled. If mailed, the notice shall be sent either first class mail or certified mail return receipt requested. The notice may also be provided by any other reliable method. If the notice is sent using first-class mail and is returned as undeliverable, the hearing may still be held. (ii) If no proof of receipt is obtained, a timely (as defined in [paragraph \(e\)\(4\)](#) of this section) showing of nonreceipt by the individual due to circumstances specified by the State agency shall be considered good cause for not appearing at the hearing. Each State agency shall establish the circumstances in which non-receipt constitutes good cause for failure to appear. Such circumstances shall be consistent throughout the State agency. (iii) The notice shall contain at a minimum: (A) The date, time, and place of the hearing; (B) The charge(s) against the individual; (C) A summary of the evidence, and how and where the evidence can be examined; (D) A warning that the decision will be based solely on the information provided by the State agency if the individual fails to appear at the hearing.

7 C.F.R. § 273.16(e)(4) provides for the scheduling of the hearing. The time and place of the hearing shall be arranged so that the hearing is accessible to the household member suspected of intentional Program violation. If the household member or its representative cannot be located or fails to appear at a hearing initiated by the State agency without good cause, the hearing shall be conducted without the household member being represented. Even though the household member is not represented, the hearing officer is required to carefully consider the evidence and determine if an intentional Program violation was committed based on clear and convincing evidence. If the household member is found to have committed an intentional Program violation but a hearing official later determines that the household member or representative had good cause for not appearing, the previous decision shall no longer remain valid, and the State agency shall conduct a new hearing. The hearing officer who originally ruled on the case may conduct the new hearing. In instances where good cause for failure to appear is based upon a showing of nonreceipt of the hearing notice as specified in paragraph (e)(3)(ii) of this section, the household member has 30 days after the date of the written notice of the hearing decision to claim good cause for failure to appear. In all other instances, the household member has 10 days from the date of the scheduled hearing to present reasons indicating a good cause for failure to appear. A hearing official must enter the good cause decision into the record.

The Defendant was properly notified of the ADH on [REDACTED], 2024. On that date, a packet containing the date, time, and place of the hearing, a summary of the charges against the Defendant, a summary of the evidence (including how and where it can be examined,) as well as a warning that the decision will be based solely on the information provided by the State agency if the Defendant fails to

appear at the hearing was mailed to the Defendant. The Defendant signed for the packet on [REDACTED], 2024.

The Defendant failed to appear for the scheduled ADH on [REDACTED], 2024, and did not display good cause for failing to appear.

5. 7 C.F.R. § 273.16(a)(1) provides that 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 overissuance caused by a suspected act of intentional Program violation, the State agency shall take action to collect the overissuance 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.

The Defendant's case has not been referred for civil or criminal prosecution. The ADH was properly initiated by the Department.

6. 7 C.F.R. § 273.16(a)(3) provides that 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 individual 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.

The Defendant signed and returned the Waiver of Disqualification Hearing form (W-1449) and exercised his right to have an administrative disqualification hearing.

7. 7 C.F.R. § 273.9(b)(1) provides the definition of earned income shall include: (i) All wages and salaries of an employee.

7 C.F.R. § 273.10(c)(1)(i) provides for determining anticipated 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. § 273.12(a)(5) provides the State agency may establish a simplified reporting system in lieu of the change reporting requirements specified under paragraph (a)(1) of this section. The following requirements are applicable to simplified reporting systems: (i) Included households. The State agency may include any household certified for at least 4 months within a simplified reporting system. (ii) Notification of simplified reporting requirement. At the initial certification, recertification and when the State agency transfers the households to simplified reporting, the State agency shall provide the household with the following: (A) A written and oral explanation of how simplified reporting works; (B) For households required to submit a periodic report, a written and oral explanation of the reporting requirements including: (1) The additional changes that must be addressed in the periodic report and verified. (iii) Periodic report. (A) Exempt households. The State agency must not require the submission of periodic reports by households certified for 12 months or less in which all adult members are elderly or have a disability with no earned income.

7 C.F.R. § 273.12(a)(5)(v) provides for reporting when gross income exceeds 130 percent of the poverty level. A household subject to simplified reporting in accordance with paragraph (a)(5)(i) of this section, whether or not it is required to submit a periodic report, must report when its monthly gross income exceeds the monthly gross income limit for its household size, as defined at §273.9(a)(1). The household shall use the monthly gross income limit for the household size that existed at the time of its most recent certification or recertification, regardless of any subsequent changes in its household size.

The 2023 Poverty Guidelines for the 48 Contiguous States and the District of Columbia for a household of one is \$14,580.00 annually or \$1,215.00 monthly. [*Federal Register/Vol. 88, No. 12/ Thursday, January 19, 2023, page 3424*]

Effective October 1, 2023, 100 percent of the Federal Poverty Limit ("FPL") for a household of one member equaled \$1,215.00 per month (\$14,580.00/12). 130 percent of the FPL equaled \$1,580.00 per month ($\$14,580.00 \times 1.3 = \$18,954.00 / 12 = \$1,579.50$ rounded up) for a household of one member. The gross income limit for a household of one member equaled \$2,430.00 (\$1,215.00*), or 200 percent of the FPL.

The Department correctly determined that the Defendant was subject to simplified reporting requirements and was required to report when his income exceeded 130% (\$1,580.00) of the FPL.

The Defendant failed to report when his income at [REDACTED] exceeded 130% of the FPL.

The Department correctly determined that the Defendant's total gross monthly income of \$2040.00 in [REDACTED] 2023, \$3,335.32 in [REDACTED] 2023, \$2,575.50 in [REDACTED] 2023, \$3,281.00 in [REDACTED] 2024, \$3,714.50 in [REDACTED] 2024, and \$2,711.50 in [REDACTED] 2024, exceeded 130% of the FPL for a household of one person.

8. 7 C.F.R. § 273.16(c) defines an IPV as follows: For purposes of determining through administrative disqualification hearings whether or not a person has committed an IPV, IPV's 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 the Food Stamp Act, the Food Stamp Program Regulations, or any State statute relating to the use, presentation, transfer, acquisition, receipt, or possession of Food Stamp coupons, authorization cards or reusable documents used as part of an automated benefit delivery system (access device).

7 C.F.R. § 273.16(e)(6) provides that 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, an Intentional Program Violation.

The Department established with clear and convincing evidence that the Defendant willfully concealed his income at [REDACTED]. The Defendant began receiving pay from [REDACTED] on [REDACTED] 20, 2023, and his income exceeded 130% of the FPL beginning in [REDACTED] 2023. The Defendant was required to report the income by [REDACTED], 2023, yet failed to do so until the Department discovered it during the Defendant's [REDACTED] 2024 redetermination. The Department correctly determined that the Defendant's intentional concealment of income resulted in the issuance of SNAP benefits to which he was not entitled for the months of [REDACTED] 2023, through [REDACTED] 2024, and constitutes an IPV.

9. 7 C.F.R. § 273.16(e)(8)(i) provides that 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 procedure in paragraph (b) of this section. The same act of intention Program violation repeated over a period must not be separated so that separate penalties can be imposed.

7 C.F.R. § 273.16(b)(1)(i) provides that 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)(5) provides for disqualification penalties and states that individuals found to committed an IPV shall be ineligible to participate in the program for a period of twelve months for the first IPV, except as provided under paragraphs (b)(2), (b)(3), (b)(4), and (b)(5) of this section.

The Department correctly seeks to disqualify the Defendant's participation in the SNAP for twelve months.

10. 7 C.F.R. § 273.18(a)(1)(i) provides that a recipient claim is an amount owed because of: (i) Benefits that are overpaid.

7 C.F.R. § 273.18(a)(2) provides that 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. § 273.16(b)(12) provides that even though only the individual is disqualified, the household, as defined in § 273.1, is responsible for making restitution for the amount of any overpayment. All intentional Program violation claims must be established and collected in accordance with the procedures set forth in § 273.18.

7 C.F.R. § 273.18(b)(1) provides for types of claims. There are three types of claims: (1) Intentional Program violation (IPV) 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(c)(1)(i) provides for Calculating the claim amount for (1) Claims not related to trafficking. (i) 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.

7 C.F.R. § 273.18(c)(1)(ii) provides for the actual steps for calculating a claim. (A) determine the correct amount of benefits for each month that a household received an overpayment. (B) 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. (C) subtract the correct amount of benefits from the benefits received. The answer is the amount of the overpayment.

The Defendant's [REDACTED] 2023 SNAP benefit is calculated as follows:

SNAP BENEFIT CALCULATION INCOME	
Earned Income	
Defendant	\$2,040.00
Total Earned Income	\$2,040.00
Less standard deduction	-\$193.00
Adjusted gross income	\$1,847.00
SHELTER COSTS	
Rent	\$600.00
SUA	\$921.00
Total shelter costs	\$1,521.00
SHELTER HARDSHIP	
Shelter costs	\$1,521.00
Less 50% of adjusted gross income	-\$923.50
Total shelter hardship	\$597.50 (Cannot exceed \$624 unless elderly or disabled)
NET ADJUSTED INCOME	
Adjusted gross income	\$1,847.00
Less shelter hardship	-\$597.50

Net Adjusted Income (NAI)	\$1,249.50
BENEFIT CALCULATION	
Thrifty Food Plan for one person	\$291.00
Less 30% of NAI (rounded to the nearest whole dollar)	-\$375
SNAP award	\$0.00

The Defendant's [REDACTED] 2023 SNAP benefit is calculated as follows:

SNAP BENEFIT CALCULATION INCOME	
Earned Income	
Defendant	\$3,335.32
Total Earned Income	\$3,335.32
Less standard deduction	-\$198.00
Adjusted gross income	\$3,137.32
SHELTER COSTS	
Rent	\$600.00
SUA	\$912.00
Total shelter costs	\$1,512.00
SHELTER HARDSHIP	
Shelter costs	\$1,512.00
Less 50% of adjusted gross income	-\$1,568.66
Total shelter hardship	\$0.00 (Cannot exceed \$624 unless elderly or disabled)
NET ADJUSTED INCOME	
Adjusted gross income	\$3,137.32
Less shelter hardship	-\$0.00
Net Adjusted Income (NAI)	\$3,137.32
BENEFIT CALCULATION	

Thrifty Food Plan for one person	\$291.00
Less 30% of NAI (rounded to the nearest whole dollar)	-\$942
SNAP award	\$0.00

The Defendant's [REDACTED] 2023 SNAP benefit is calculated as follows:

SNAP BENEFIT CALCULATION INCOME	
Earned Income	
Defendant	\$2,575.50
Total Earned Income	\$2,575.50
Less standard deduction	-\$198.00
Adjusted gross income	\$2,377.50
SHELTER COSTS	
Rent	\$600.00
SUA	\$912.00
Total shelter costs	\$1,512.00
SHELTER HARDSHIP	
Shelter costs	\$1,512.00
Less 50% of adjusted gross income	-\$1,188.75
Total shelter hardship	\$323.25 (Cannot exceed \$624 unless elderly or disabled)
NET ADJUSTED INCOME	
Adjusted gross income	\$2,377.50
Less shelter hardship	-\$323.25
Net Adjusted Income (NAI)	\$2,054.25
BENEFIT CALCULATION	
Thrifty Food Plan for one person	\$291.00
Less 30% of NAI (rounded	-\$617

to the nearest whole dollar)	
SNAP award	\$0.00

The Defendant's [REDACTED] 2024 SNAP benefit is calculated as follows:

SNAP BENEFIT CALCULATION INCOME	
Earned Income	
Defendant	\$3,281.00
Total Earned Income	\$3,281.00
Less standard deduction	-\$198.00
Adjusted gross income	\$3,083.00
SHELTER COSTS	
Rent	\$600.00
SUA	\$912.00
Total shelter costs	\$1,512.00
SHELTER HARDSHIP	
Shelter costs	\$1,512.00
Less 50% of adjusted gross income	-\$1,541.50
Total shelter hardship	\$0.00 (Cannot exceed \$624 unless elderly or disabled)
NET ADJUSTED INCOME	
Adjusted gross income	\$3,083.00
Less shelter hardship	-\$0.00
Net Adjusted Income (NAI)	\$3,083.00
BENEFIT CALCULATION	
Thrifty Food Plan for one person	\$291.00
Less 30% of NAI (rounded to the nearest whole dollar)	-\$925
SNAP award	\$0.00

The Defendant's [REDACTED] 2024 SNAP benefit is calculated as follows:

SNAP BENEFIT CALCULATION INCOME	
Earned Income	
Defendant	\$3,714.50
Total Earned Income	\$3,714.50
Less standard deduction	-\$198.00
Adjusted gross income	\$3,516.50
SHELTER COSTS	
Rent	\$600.00
SUA	\$912.00
Total shelter costs	\$1,512.00
SHELTER HARDSHIP	
Shelter costs	\$1,512.00
Less 50% of adjusted gross income	-\$1,758.25
Total shelter hardship	\$0.00 (Cannot exceed \$624 unless elderly or disabled)
NET ADJUSTED INCOME	
Adjusted gross income	\$3,516.50
Less shelter hardship	-\$0.00
Net Adjusted Income (NAI)	\$3,516.50
BENEFIT CALCULATION	
Thrifty Food Plan for one person	\$291.00
Less 30% of NAI (rounded to the nearest whole dollar)	-\$1055
SNAP award	\$0.00

The Defendant's [REDACTED] 2024 SNAP benefit is calculated as follows:

SNAP BENEFIT CALCULATION INCOME	
Earned Income	
Defendant	\$2,711.50
Total Earned Income	\$2,711.50
Less standard deduction	-\$198.00
Adjusted gross income	\$2,513.50
SHELTER COSTS	
Rent	\$600.00
SUA	\$912.00
Total shelter costs	\$1,512.00
SHELTER HARDSHIP	
Shelter costs	\$1,512.00
Less 50% of adjusted gross income	-\$1,256.75
Total shelter hardship	\$255.25 (Cannot exceed \$624 unless elderly or disabled)
NET ADJUSTED INCOME	
Adjusted gross income	\$2,513.50
Less shelter hardship	-\$255.25
Net Adjusted Income (NAI)	\$2,258.25
BENEFIT CALCULATION	
Thrifty Food Plan for one person	\$291.00
Less 30% of NAI (rounded to the nearest whole dollar)	-\$678
SNAP award	\$0.00

The Department correctly determined that the Defendant was overpaid SNAP benefits as the result of an IPV for [REDACTED] 2023 through [REDACTED] 2024.

The Department correctly determined that the total amount of the Defendant's SNAP IPV overpayment is \$1,746.00 ([REDACTED] 2023 \$291.00 + [REDACTED] 2023 \$291.00 [REDACTED] 2023 \$291.00 [REDACTED] 2024 \$291.00 + [REDACTED] 2024 \$291.00 + [REDACTED] 2024 \$291.00 = \$1,746.00).

DECISION

1. The Defendant is **GUILTY** of committing his first SNAP Intentional Program Violation for intentionally concealing his income.
2. The Department is authorized to disqualify the Defendant from participation in the SNAP for a period of twelve (12) months and to seek recovery of \$1,746.00 in SNAP benefits.

A handwritten signature in black ink, appearing to read 'J. Davey', written over a horizontal line.

Joseph Davey
Administrative Hearing Officer

Cc: OLCRAH.QA.DSS@ct.gov

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.