

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

██████████, 2024  
Signature Confirmation

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

**NOTICE OF DECISION**

**PARTY**

██████████  
██████████  
██████████

**PROCEDURAL BACKGROUND**

On ██████████, 2024, the Department of Social Services (the “Department”) sent ██████████ (the “Appellant”) a W-0093N EBT Inactivity Warning notice stating he had not used his Electronic Benefits Transfer (“EBT”) card for at least 90 days.

On ██████████, 2024, the Appellant requested an administrative hearing to contest the Department’s delay in processing his Supplemental Nutrition Assistance Program (“SNAP”) benefits.

On ██████████, 2024, the Office of Legal Counsel, Regulations, and Administrative Hearings (“OLCRAH”) issued a Notice scheduling the administrative hearing for ██████████, 2024, for the issue of process delay.

On ██████████, 2024, the Department sent the Appellant a NOA stating that his application for SNAP benefits was denied effective ██████████, 2024, because he did not provide information or meet the requirements necessary to determine eligibility.

On ██████████, 2024, in accordance with sections 17b-60, 17b-61 and 4-176e to 4-184, inclusive, of the Connecticut General Statutes, the OLCRAH held an administrative hearing. The Appellant confirmed the issue to be the Department’s discontinuance of his SNAP benefits effective ██████████, 2024, due to failure to provide the required information. The following individuals were present at the hearing:

██████████, Appellant  
Selena Edwards, Fair Hearing Liaison, Department's Representative  
Joseph Davey, Administrative Hearing Officer

The hearing record remained open until ██████████, 2024, for the submission of additional information from the Appellant and the Department. Information was received from the Department and the record closed on ██████████, 2024, with no submission from the Appellant. The record was reopened on ██████████, 2024, for the submission of additional information from the Department. The additional information from the Department was received on ██████████, 2024, and the record closed accordingly.

### **STATEMENT OF THE ISSUE**

The issue is whether the Department correctly discontinued the Appellant's SNAP application for failure to provide information.

### **FINDINGS OF FACT**

1. The Appellant is ██████████ (██████) years old (DOB ██████████) and unmarried. (Exhibit 1: W-1ES SNAP application dated ██████████, Appellant's testimony)
2. On ██████████, 2024, the Appellant applied for SNAP benefits for himself. The Appellant did not report any other household members on the application. (Exhibit 1, Exhibit 9: Case Notes dated ██████████-██████████)
3. The Appellant did not report any rental, utility, or telephone expenses on his ██████████, 2024, W-1ES SNAP application. (Exhibit 1, Exhibit 9)
4. The Appellant did not report any assets on the ██████████, 2024, W-1ES SNAP application. (Exhibit 1, Exhibit 9)
5. The Appellant did not report any earned or unearned income on the ██████████, 2024, W-1ES SNAP application. (Exhibit 1, Exhibit 9)
6. On ██████████, 2024, the Department reviewed the Appellant's W-1ES SNAP application. The Department attempted to contact the Appellant via phone to conduct a SNAP interview but was unsuccessful. (Exhibit 9)
7. On ██████████, 2024, the Department issued a W-1348 Request for Proofs form ("W-1348") to the Appellant. The W-1348 stated the following in relevant part: *"Our records show you have a telephone obligation, and no income. Please verify how this expense is being met...Our records show earnings from odd jobs, if you are still doing these please verify with a self declared statement signed and dated the amount earned in the last 3 months...Please verify your current CT residence with a lease or a letter form person you live with, letter must be dated, signed and have the writers contact information and verify address and living arrangement."* Attached to the W-1348 was

a W-1408 Landlord Verification Request form (“W-1408”) for completion by the Appellant’s landlord or property manager. The due date for the requested information was listed as [REDACTED], 2024, with a “Date We Will Take Action By” listed as [REDACTED], 2024. (Exhibit 3: W-1348 dated [REDACTED], Exhibit 13: Earned Income screen prints for Odd Jobs earnings)

8. On [REDACTED], 2024, the Department issued a W-3015N Interview Notice form (“W-3015N”) requesting that the Appellant call the Department to conduct a SNAP telephone interview. The “Interview Due Date” was listed as [REDACTED], 2024. The W-3015N stated that “Your application will be denied if you do not have your interview and send us all of the required proof we asked for by the denial date(s).” The denial date listed was [REDACTED], 2024. (Exhibit 4: W-3015N dated [REDACTED])
9. On [REDACTED], 2024, the Department issued a NOA granting expedited SNAP benefits for the Appellant effective [REDACTED], 2024, through [REDACTED], 2024. The NOA stated in relevant part “To keep getting SNAP after [REDACTED]/2024 you will need to interview by [REDACTED]/2024 and give us required proofs by [REDACTED]/2024.” (Exhibit 2: NOA dated [REDACTED])
10. On [REDACTED], 2024, the Appellant submitted form W-1408 to the Department. The form was unsigned and was crossed out with “N/A” over the majority of questions listed. The only box checked on the W-1408 was in response to the question “Is this address ([REDACTED], CT [REDACTED]) correct?” The Appellant checked the box marked “Yes” and wrote “Only Address” to the follow-up question “If yes, who do you rent the apartment/unit to?” (Exhibit 9, Exhibit 10: W-1408 received [REDACTED])
11. On [REDACTED], 2024, the Department issued form W-0108N Notice of Missed Interview (“W-0108N”) to the Appellant. The W-0108N stated in relevant part that “Your application will be denied if you do not have your interview and send us all of the required proof we asked for by the denial date(s).” The denial dated listed was [REDACTED], 2024. (Exhibit 5: W-0108N dated [REDACTED])
12. On [REDACTED], 2024, the Department issued a NOA to the Appellant regarding his SNAP benefits. The NOA stated in relevant part “Proofs Needed to Keep Getting Your SNAP Benefits. Because you needed SNAP right away, you did not have an interview when you applied. To keep getting SNAP after [REDACTED]/2024 you will need to give required proof by [REDACTED]/2024.” (Exhibit 6: NOA dated [REDACTED])
13. On [REDACTED], 2024, the Appellant called the Department and conducted his SNAP interview. The Department noted that “In review of the case, case was pending for interview, residency, and odd jobs...client (the Appellant) reported that he doesn’t work and will write a self-attest letter on the odd jobs. Informed client (the Appellant) on what he needed to provide.” (Exhibit 9)

14. On [REDACTED], 2024, the Department sent the Appellant a W-0093N EBT Inactivity Warning notice which stated in relevant part *“Our records indicate that you have not used your EBT card for at least 90 days related to the following program(s): SNAP...If you do not use the benefits on your EBT card for a long period of time, then we will take those benefits back...If you disagree with this decision, you may ask for a hearing.”* (Exhibit 11: EBT Inactivity Warning notice dated [REDACTED] and Historical Correspondence list)
15. On [REDACTED], 2024, the Appellant requested an administrative hearing to contest the Department’s delay in processing his SNAP application. (Exhibit 7: Fair Hearing Request dated [REDACTED])
16. The Appellant failed to return the following mandatory verification: proof that he was no longer working odd jobs. (Exhibit 15: Document Search Results by Case Number, Client Number, and Name, Exhibit 16: Department’s email dated [REDACTED], Department’s testimony, Hearing Record)
17. On [REDACTED], 2024, after the Appellant requested an administrative hearing, the Department issued a NOA denying the Appellant’s application for SNAP benefits effective [REDACTED], 2024, because he did not provide the information necessary to determine eligibility. (Exhibit 8: NOA dated [REDACTED], Department’s testimony)
18. There is no evidence in the hearing record that the Appellant contacted the Department or submitted any of the outstanding verifications between his [REDACTED], 2024, SNAP telephone interview and the [REDACTED], 2024, denial of the SNAP. (Exhibit 9, Exhibit 15, Exhibit 16, Department’s testimony)
19. The issuance of this decision is timely under the Code of Federal Regulations (“C.F.R.”) § 273.15(c)(1) which provides in part that “[w]ithin [REDACTED] 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....” The Appellant requested an administrative hearing on [REDACTED], 2024. Therefore, this decision is due not later than [REDACTED], 2024. However, the hearing record was extended ([REDACTED]) days to allow for the submission of information from the Appellant and the Department. Therefore, this decision is not due until [REDACTED], 2024. (Hearing Record)

### **CONCLUSIONS OF LAW**

1. Connecticut General Statutes § 17b-2 provides that the Department of Social Services is designated as the state agency for the administration of (7) the supplemental nutrition assistance program pursuant to the Food and Nutrition Act of 2008.

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

2. 7 C.F.R. § 273.2(a)(2) provides that the application process includes filing and completing an application form, being interviewed, and having certain information verified. The State agency must act promptly on all applications and provide SNAP benefits retroactive to the month of application to those households that have completed the application process and have been determined eligible. States must meet application processing timelines, regardless of whether a State agency implements a photo EBT card policy. The State agency must make expedited service available to households in immediate need. Specific responsibilities of households and State agencies in the application process are detailed below.

**The Department received the Appellant's SNAP application on [REDACTED], 2024.**

3. 7 C.F.R. § 273.1(a)(1) provides the following: General household definition. 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.

7 C.F.R. § 273.2(i)(1)(i) provides for entitlement to expedited service. The following households are entitled to expedited service: (i) Households with less than \$150 in monthly gross income, as computed in § 273.10 provided their liquid resources (i.e., cash on hand, checking or savings accounts, savings certificates, and lump sum payments as specified in § 273.9(c)(8)) do not exceed \$100.

7 C.F.R. § 273.2(i)(4)(iii) provides that households that are certified on an expedited basis and have provided all necessary verification required in paragraph (f) of this section prior to certification shall be assigned normal certification periods. If verification was postponed, the State agency may certify these households for the month of application (the month of application and the subsequent month for those households applying after the 15th of the month) or, at the State agency's option, may assign normal certification periods to those households whose circumstances would otherwise warrant longer certification periods. State agencies, at their option, may request any household eligible for expedited service which applies after the 15th of the month and is certified for the month of application and the subsequent month only to submit a second application (at the time of the initial certification) if the household's verification is postponed.

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

**The Department correctly determined the Appellant's household is composed of one member.**

**The Department correctly postponed verification until the second month of participation and correctly assigned a one-month expedited certification period for the Appellant's household of one.**

4. 7 C.F.R. § 273.2(f)(1) provides for mandatory verification. State agencies shall verify the following information prior to certification for households initially applying: (i) Gross nonexempt income. Gross nonexempt income shall be verified for all households prior to certification.

7 C.F.R. § 273.2(f)(1)(vi) provides for residency. The residency requirements of § 273.3 shall be verified except in unusual cases (such as homeless households, some migrant farmworker households, or households newly arrived in a project area) where verification of residency cannot reasonably be accomplished.

7 C.F.R. § 273.2(f)(2)(i) provides for verification of questionable information. (i) The State agency shall verify, before certification of the household, all other factors of eligibility that the State agency determines are questionable and affect the household's eligibility and benefit level. The State agency shall establish guidelines to be followed in determining what shall be considered questionable information. These guidelines shall not prescribe verification based on race, religion, ethnic background, or national origin. These guidelines shall not target groups such as migrant farmworkers or American Indians for more intensive verification under this provision.

7 C.F.R. § 273.9(b)(1)(i)(ii) provides that earned income shall include: (i) All wages and salaries of an employee. (ii) The gross income from a self-employment enterprise, including the total gain from the sale of any capital goods or equipment related to the business, excluding the costs of doing business as provided in paragraph (c) of this section. Ownership of rental property shall be considered a self-employment enterprise; however, income derived from the rental property shall be considered earned income only if a member of the household is actively engaged in the management of the property at least an average of 20 hours a week. Payments from a roomer or boarder, except foster care boarders, shall also be considered self-employment income.

**The Department correctly determined that the Appellant was required to verify residency for himself.**

**The Department correctly determined that the Appellant was required to verify his self-employment income and/or his last day of work.**

5. 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. The notice shall also inform the household of the State agency's responsibility to assist the household in obtaining the required verification provided the household is cooperating with the State agency as specified in (d)(1) of this section. The notice shall be written in clear and simple language and shall meet the bilingual requirements designated in §272.4(b) of this chapter. At a minimum, the notice shall contain examples of the types of documents the household should provide and explain the period the documents should cover.

7 C.F.R. § 273.2(h)(i)(C) provides for cases where verification is incomplete, the State agency must have provided the household with a statement of required verification and offered to assist the household in 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 a W-1348 "Proofs We Need" form requesting verifications required to establish eligibility and afforded the Appellant ten (10) days to provide the verifications.**

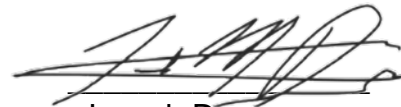
6. 7 C.F.R. § 273.2(f)(5)(i) provides for the responsibility of obtaining verification. The household has primary responsibility for providing documentary evidence to support statements on the application and to resolve any questionable information. The State agency must assist the household in obtaining this verification provided the household is cooperating with the State agency as specified under paragraph (d)(1) of this section. Households may supply documentary evidence in person, through the mail, by facsimile or another electronic device, or through an authorized representative. The State agency must not require the household to present verification in person at the food stamp office. The State agency must accept any reasonable documentary evidence provided by the household and must be primarily concerned with how adequately the verification proves the statements on the application. However, the State agency has primary responsibility for verifying fleeing felon and parole or probation violator status in accordance with §273.11(n).

**The Department correctly determined that the Appellant did not submit all the requested verification listed on the W-1348 sent on [REDACTED], 2024.**

**The Department correctly denied the Appellant's SNAP application as the Appellant did not return the mandatory requested verifications.**

**DECISION**

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

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

Joseph Davey  
Administrative Hearing Officer

Cc: Selena Edwards, Fair Hearing Liaison, DSS, New Britain Regional Office  
Theresa Deangelis, SSOM, New Britain Regional Office  
Nicole Matos, SSOM, 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, law, and 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 requested 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 the Department of Social Services, Director, Office of Administrative Hearings and Appeals, 55 Farmington Avenue, Hartford, CT 06105-3725.

### **RIGHT TO APPEAL**

The appellant has the right to appeal this decision to the 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 if 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 to 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 per §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.