
Low Income Energy Assistance Program (LIEAP)

- Grants and loans from HUD Community Development Block Grant Funds made to individuals to rehabilitate their private residence
- All WIA payments, except those considered wages for on-the-job training.
- Economic Stimulus Tax Rebate for 2007
- The Worker, Homeownership, and Business Assistance Act of 2009 excludes the \$25 a week increase in UCI benefits authorized by the American Recovery and Reinvestment Act of 2009.

Assistance Group

The Assistance Group (AG) consists of any individual or group of individuals who are living together as one economic unit or who are sharing expenses and for whom residential home heating is customarily purchased in common or for whom home heating is included in a rent or mortgage payment as a specified amount.

It is the responsibility of the applicant to list all individuals who are living in the home, regardless of whether or not they are family members or whether or not they share the cost of home heating. For the purpose of LIEAP eligibility, all household members are considered one AG.

When the AG includes a person(s) who has already received a LIEAP payment, he is not included in the AG and his income is not counted in determining eligibility.

EXAMPLE: An employed woman and her two children are included in her mother's AG. The mother applies for and is approved for a LIEAP payment for an AG of 4. Her daughter and grandchildren then move out of her home to live with the children's father. The father applies for LIEAP and reports an increase in AG size and income. His LIEAP application is approved for an AG of 1 and only his income is counted.

When an AG includes an illegal alien, that person's income must be counted even though he cannot be included in the LIEAP AG.

2. Vulnerability To The Cost Of Home Heating

In order to qualify for a LIEAP payment, an AG must be determined vulnerable or partially vulnerable to the cost of home heating.

a. Vulnerable AGs

Vulnerable AGs are those which must pay the heating cost for the home in which they reside. **The expense for heating must be billed separately from the rent or mortgage payment of the residence, even if the AG combines these payments.** The amount **billed for the** heating cost must be stated on a rent receipt, lease, or other documentation.

NOTE: AG's that have utilities included in their rent but are not billed separately for a heating cost are not eligible for LIEAP.

AGs may also be considered vulnerable if there has been a documented increase in a rent or mortgage payment due to increased fuel costs. The increase does not have to be permanent if the only reason for the increase is winter heating.

Individuals who are temporarily away from home for medical, educational, or employment purposes, and who still must pay a heating cost for the dwelling, are considered vulnerable. This includes nursing home residents who are still maintaining a home and have a heating cost.

Vulnerability also exists when the AG must pay at least a part of the cost of home heating, whether they pay just part of the cost each month or alternate payments with a third party. The AG is also partially vulnerable when a surcharge for excessive usage is already added or can reasonably be anticipated being added to the rent amount.

b. Invulnerable AGs

Invulnerability means the AG has no home heating costs or is not responsible for payment of the heating cost. Individuals who live in state institutions, hospitals and certain group living facilities, such as halfway houses and domestic violence centers, and those whose home heating costs are paid by a third party are considered invulnerable.

NOTE: Questions as to whether an AG is vulnerable or invulnerable should be directed to the State LIEAP Coordinator.

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c. Terminated Service

AGs in dwellings where home heating service has been terminated and the account has been closed prior to the date of application are considered vulnerable if the home heating supplier agrees to restore service upon the approval of LIEAP or in combination with other payment(s).

NOTE: The Worker must not obligate a payment until all other needed payments have been obtained. Any payment obligated to a vendor, whether verbal or in writing, must be honored if the vendor restores service and it is later determined that other payments were never received.

d. Portable Heaters

Portable heating devices such as, but not limited to, electric and kerosene space heaters, are not considered primary sources of

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heating except when an emergent life-threatening situation exists, the dwelling is totally without a heating source, and the AG has no alternate housing available.

It is considered dangerous to AG members and detrimental to program goals to heat a dwelling with space heaters. Such use must not be encouraged. Exceptions require supervisory approval.

e. Public Housing Facilities

AGs residing in subsidized public housing facilities are considered vulnerable or invulnerable depending on how they pay their home heating costs:

- Vulnerability exists when home heating costs are paid separately or directly to the utility, fuel supplier, or building operator. These costs usually reflect total monthly usage.
- Vulnerability may also include those situations in which surcharges for excess usage are already added to the rent or the addition to the rent can be reasonably anticipated.
- Invulnerability exists when home heating costs are included in the rent and based upon a fixed percentage of income or paid by the housing authority.

f. Zero Income Applicants

When zero income applicants report that their home heating costs are being paid by someone else, vulnerability can be determined by the manner in which the heating costs are being paid.

Applicants who report zero income but have someone else not living in the household who makes payment for the entire cost of home heating to the vendor on behalf of the applicant are considered invulnerable and therefore ineligible for LIEAP benefits.

NOTE: When an individual for whom a third party has been making home heating payments receives a termination notice, the Worker must determine why the bill is no longer being paid, whether future bills will be paid, and whether or not the third party intends to pay the disconnect if LIEAP is denied.

Applicants whose only income is a contribution for heating costs from an individual outside the AG are considered vulnerable and are not considered zero income applicants.

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3. Residence And Citizenship

a. Residence

See Section 8.2 for the residence requirement.

b. Citizenship

See Chapter 18 for the eligibility requirements of citizenship or permanent alien status.

NOTE: The LIEAP AG is composed only of citizens and/or qualified aliens, using the income of the entire household.

4. Duplicate Payments

All eligible AGs are entitled to one Regular LIEAP payment only. Subsequent applications received from persons who have already been found eligible for or who have received a Regular LIEAP payment are denied. Cases requiring corrective or supplemental payments must be referred to the Office of Client Accounts as provided in section 26.5.

NOTE: Supplemental LIEAP funds may be made available during the program year, therefore, it is possible that eligible AGs may be entitled to receive an additional LIEAP payment. The Family Support Policy Unit will notify the local offices if supplemental funds become available.

5. Customer Account Number

The customer account number must be provided at the time of application or within 15 calendar days following the date the information is requested. A list of PSC-regulated utility vendors is provided in Appendix B of this chapter. Customers of vendors not listed must be issued a direct payment.

6. Time Limits

Action must be taken to approve or deny a Regular LIEAP application within 30 days of the date it is received for processing by DHHR.

NOTE: Workers may deny an application after expiration of the verification due date when the information is not received. If the client returns the information within 30 days of the application date, the benefit may be approved without a new application. After 30 days, the client must reapply.

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Prepayment is made if the vendor refuses to permit a credit purchase, and the DFA-67 must indicate in the recording section that prepayment is being made for the specified amount of fuel. If possible, the unit amounts of fuel per delivery must also be indicated.

Approval is made for the total amount of payment and the vendor is paid in advance.

In either arrangement outlined above, only one payment is made for the total amount.

(4) Non-elimination of the emergency

In many situations, the amount required by the vendor to eliminate the emergency will exceed the amount of Emergency LIEAP entitlement.

When this occurs, the Worker must determine if the applicant is eligible for other program benefits in addition to LIEAP, such as, but not limited to, Emergency Assistance (EA), **Community Resource Referrals**, etc., in order to meet the vendor's demands.

If the vendor refuses to observe the guidelines set forth in this section, the LIEAP application is denied.

4. Residence And Citizenship

c. Residence

See Section 8.2 for the residence requirement.

d. Citizenship

See Chapter 18 for the eligibility requirements of citizenship or qualified aliens.

NOTE: The LIEAP AG is composed only of citizens and/or qualified aliens, using the income of the entire household.

5. Duplicate Payment

Eligible AGs are entitled to one Emergency LIEAP payment only. However, the payment does not have to be for the primary source of heat, provided the client can show that a heating emergency will result from the

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scheduled termination. If termination notices have been received on both electric and gas, Emergency LIEAP may be approved for the larger amount, providing the AG lacks the resources to pay the bill. Under no circumstances is the LIEAP payment split to cover both terminations, regardless of the amount for which the client is eligible.

Cases requiring corrective or supplemental payments must be referred to the Office of Client Accounts as provided in Section 26.5.

NOTE: Supplemental LIEAP funds may be made available during the program year, therefore, it is possible that eligible AGs may be entitled to receive an additional LIEAP payment. The Family Support Policy Unit will notify the local offices if supplemental funds become available.

6. Customer Account Number

This requirement is satisfied by the termination notice.

7. Time Limits

The Department must insure that assistance is offered to resolve the home energy emergency to all eligible recipients no later than 48 hours from the time of application. In most situations, fuel delivery can be made or home heating service continued to prevent an emergency from occurring when the vendor has been informed that the client is eligible for Emergency LIEAP benefits.

NOTE: Some vendors require an extra delivery charge for deliveries outside the normal times or routes. This charge is added to the cost of the fuel to determine the payment amount.

When the eligible AG is faced with a life-threatening emergency, the Department must insure that assistance is offered to resolve the emergency no later than 18 hours from the time of application.

The Worker must indicate by the date entered on the DFA-67 or by recording on the application that this time limit was met.

C. OTHER PROGRAMS

Regular or Emergency LIEAP payments are not considered in determining eligibility for or the amount of a benefit for any public assistance program except Emergency Assistance.