

STATE OF VERMONT

HUMAN SERVICES BOARD

In re) Fair Hearing No. A-08/08-383
)
Appeal of)

INTRODUCTION

The petitioner filed an appeal on or about August 28, 2008 to which he attached a letter outlining a dispute with the Vermont State Housing Authority. It was not clear from petitioner's cover letter what his grievance was with the Department for Children and Families, Economic Services Department.

Petitioner is a disabled individual. He has filed numerous cases with the Human Services Board; most of his appeals relate to problems that petitioner attributes to the misuse of his Social Security number rather than specific Department action on the benefits petitioner receives from the Department. Petitioner is receiving Food Stamps, payment of his Medicare Part B premium, and has been found eligible for supplemental fuel assistance.

At a hearing held on October 8, 2008, the petitioner raised the same issues decided in earlier appeals before the Board.

The issues are whether these matters should be considered *res judicata* based on prior decisions by the Board and the Vermont Supreme Court and whether his issues with the Vermont State Housing Authority are beyond the jurisdiction of the Board.

DISCUSSION

The petitioner was the subject of Fair Hearing Nos. 19,996 decided by the Board on February 14, 2005 and affirmed by the Vermont Supreme Court on October 28, 2005 (Docket No. 2005-082 slip opinion) and 21,236 and A-02/08-58 decided by the Board on May 7, 2008 and dismissed by the Vermont Supreme Court on October 3, 2008 (Docket No. 2008-238 slip opinion).

The petitioner raises the same issues decided in these earlier appeals (i.e. misuse of his Social Security number, mail going to the wrong address, theft, etc.) In addition, petitioner is unable to show the relevance of his concerns to specific Departmental action.

The petitioner also raises concerns about his treatment by the Vermont State Housing Authority. The Board has been granted authority to hear cases stemming from actions taken by departments within the Agency of Human Services. 3 V.S.A. § 3091(a). This grant of authority does not extend to

actions taken by nonprofit housing organizations such as the Vermont State Housing Authority.

ORDER

Based on the prior decisions by the Board and the Vermont Supreme Court, the petitioner's present appeal against the Department is dismissed as a matter of *res judicata*, and his grievance against the Vermont State Housing Authority is dismissed for lack of jurisdiction.

In addition, all appeals which the petitioner may bring regarding issues already decided by the Board will be summarily dismissed unless there is a specific allegation in the appeal that the petitioner is appealing a particular action of the Department regarding food stamps, fuel assistance, medical assistance, or general assistance that arose within the time limits set out in Fair Hearing Rule 1000.2. 3 V.S.A. § 3091(a).

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