

STATE OF VERMONT

HUMAN SERVICES BOARD

In re ) Fair Hearing No. B-05/10-226  
 )  
Appeal of )

INTRODUCTION

The petitioner appeals a decision by the Department for Children and Families, Economic Services Division, denying Reach Up Financial Assistance (RUFA) benefits because the petitioner's household income is over the RUFA income limits. The issue is whether the Department correctly applied the regulations. A fair hearing was held on May 13, 2010. The material facts are not in dispute.

FINDINGS OF FACT

1. On March 30, 2010, the petitioner submitted an application for RUFA benefits to the Department. On that day, petitioner was nine months pregnant and living with her husband.
2. The petitioner and her husband welcomed their child on April 1, 2010.
3. The petitioner is disabled and receives Social Security Disability Income of \$850.50 per month. The petitioner and her husband live in subsidized housing and

receive a utility allowance of \$130 per month. The Department credits the petitioner with a utility allowance of \$70 per month under the RUFA rules. The Department found that petitioner's monthly income was \$920.50.

4. The petitioner's husband was recently hurt on the job. At the time, the petitioner applied for RUFA, the family had no income from petitioner's husband.

5. On or about May 5, 2010, the petitioner and her husband learned that the Social Security Administration found their son eligible for \$200 per month under petitioner's Social Security account starting in May 2010.

6. The petitioner and her husband are looking for RUFA financial help for the months of March and April 2010 from the Department.

7. The Department determined that petitioner is not eligible for RUFA because her income exceeds the RUFA eligibility limits. The Department issued a Notice on April 27, 2010.<sup>1</sup>

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<sup>1</sup> The Department issued a Notice on April 26, 2010 denying RUFA based on no minor child in the household. RUFA regulations limit assistance to the last month of pregnancy provided other financial criteria are met. This notice is superseded by the April 27, 2010 Notice of Decision.

ORDER

The Department's decision is affirmed.

REASONS

The RUFA program provides financial assistance to low-income households who have minor children. Eligibility is based upon the amount of net monthly income and the amount of resources a household has. A household will be eligible only if their available monthly income is less than the payment standard and their resources are less than the maximum resource limits. W.A.M. § 2250.

To determine available monthly income, the Department starts with the basic needs standard; the basic needs standard for a three-person household is \$891 per month. W.A.M. § 2261.1. Next, the Department determines whether there is a monthly shelter allowance. Petitioner receives the maximum monthly shelter allowance of \$450 because her rent is subsidized through the Department of Housing and Urban Development. W.A.M. §2263.2. The Department then applies the ratable reduction of 49.6% to determine the payment standard. Here, the payment standard is \$665.14.

The Department then determines the amount of the household's income. If the household's income is greater

than the payment standard, the household is ineligible for RUFA. W.A.M. § 2253. In petitioner's case, the Department accurately determined that petitioner's available monthly income was \$920.50 and accurately determined that her income made her ineligible for RUFA.

Based on the above, the Department's decision to deny RUFA assistance is affirmed. 3 V.S.A. § 3091(d), Fair Hearing No. 1000.4D.

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