

STATE OF VERMONT

HUMAN SERVICES BOARD

In re) Fair Hearing No. B-05/13-354
)
Appeal of)

INTRODUCTION

Petitioner appeals the determination of the Vermont Department for Children and Families ("Department") that he is not eligible for temporary housing because he has been granted the maximum benefit allowed under the program - of 84 nights of motel stays paid for within the prior 12 months. The following facts are adduced from documents and testimony entered into the record during a hearing held May 16, 2013.

FINDINGS OF FACT

1. Petitioner applied for temporary housing assistance on May 7, 2013, and was denied on the grounds that he had reached the maximum number of nights - 84 - of temporary housing allowed over the 12 months prior to the date of his application. He filed a request for an expedited appeal on the same date.

2. Petitioner believes that the 12-month period for the purposes of determining his next period of eligibility

for housing should have ended in April of 2013, so he should have been eligible as of his date of application.

3. The Department produced a record of petitioner's motel stays indicating that the 12-month period will end in July of 2013.¹

4. Petitioner was provided with a copy of the record and requested an opportunity to review it. Petitioner was given until May 23, 2013, to notify the Board of any dispute he has with the record. Petitioner did not register any dispute by this date.

ORDER

The Department's decision is affirmed.

REASONS

The Department's temporary housing program provides short-term shelter for no more than 84 total nights within a 12-month period looking back from the date of application. GA Rule 2652.2. There is no dispute that, presently, petitioner has reached the maximum benefit allowed under the

¹ The Department reviews how many motel nights it has paid for looking back 12 months. The record in petitioner's case shows that he has reached the 84 night maximum commencing with motel stays on July 4, 2012. The Department will not consider petitioner eligible until a full 12 months have passed since that date.

temporary housing program and that the applicable period of housing assistance began in July of 2012.

The Department's denial is consistent with the applicable regulations. Therefore, the Board is required to affirm. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 1000.4D.

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