

STATE OF VERMONT

HUMAN SERVICES BOARD

In re) Fair Hearing No. B-07/13-497
)
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 July 18, 2013.

FINDINGS OF FACT

1. Petitioner applied for temporary housing assistance on July 8, 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's sole contention is that he was told by the Department and the hearing officer in a prior proceeding that he would be eligible for temporary housing "in July."

He does not dispute the calculation of the number of nights he has used in the twelve month period preceding his July 8 application.

3. The Department represented at hearing that petitioner would be eligible for temporary housing, assuming he continued to meet all other eligibility criteria, on July 27.

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 temporary housing program.

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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