

STATE OF VERMONT

HUMAN SERVICES BOARD

In re) Fair Hearing Nos. B-02/15-159
)
Appeal of) & B-02/15-166

INTRODUCTION

Petitioner appeals the denial of General Assistance ("GA") emergency housing by the Vermont Department for Children and Families ("Department").¹ The following facts are adduced from an expedited hearing held February 19, 2015.

FINDINGS OF FACT

1. Petitioner was initially denied housing assistance by the Department for her failure to follow up with the shelter application process generally required of every GA housing applicant.

2. By the time of the hearing, that issue had been resolved to the Department's satisfaction and petitioner had been found eligible for housing assistance under "vulnerable population" eligibility.

¹ While two appeals were filed with the Board regarding the same emergency housing application, petitioner was denied assistance on just one occasion - February 12 - leading to No. B-02/15-166. An appeal filed February 11, No. B-02/15-159, came after petitioner was granted housing assistance but objected to certain requirements imposed by the Department as further outlined below.

3. At hearing, petitioner sought to raise issues regarding a Department employee who may or may not have been involved in her case several years ago, without any connection to the present denial or any other potential grievance. Petitioner further objected to Department counsel giving a summary, without being sworn in, of the Department's case. The Hearing Officer overruled this objection.

4. In disagreement, petitioner indicated she no longer wished to proceed with the hearing and wanted to take her case to a "higher level," departing the hearing prior to completion.

ORDER

Petitioner's appeal is dismissed as moot.

REASONS

Review of the Department's determination is de novo; however, any appeal before the Board is predicated on the petitioner being aggrieved by the Department. See 33 V.S.A. § 3091(a). As petitioner was receiving the housing assistance at the time of hearing that she was initially denied, her appeals have been resolved and she raises no other relevant or cognizable grievance to be decided. If petitioner is denied assistance or otherwise aggrieved in the future, she

is free to file a new appeal. Based on the instant record, however, the Board is required to dismiss petitioner's General Assistance housing appeals as moot. See 33 V.S.A. 3091(d); see also Fair Hearing No. Y-03/10-158.

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