

STATE OF VERMONT
HUMAN SERVICES BOARD

In re) Fair Hearing No. 18,029
)
Appeal of)

INTRODUCTION

The petitioner appeals the decision by the Department of Prevention, Assistance, Transition, and Health Access (PATH) denying his application for Food Stamps. The issue is whether the petitioner's gross monthly income is in excess of the program maximum. The facts are not in dispute.

FINDINGS OF FACT

1. The petitioner lives by himself and has gross monthly income from employment of \$2,206.92 a month.
2. The petitioner applied for Food Stamps on August 12, 2002. On August 20, 2002 the Department notified him that his application was denied because his income was in excess of the gross income test for a single-person household, which at that time was \$931.

ORDER

The Department's decision is affirmed.

REASONS

Under the Food Stamp Regulations a household without an elderly or disabled member must meet an initial gross income test of eligibility, which is 130 percent of federal income poverty levels. FSM § 273.9(a). As of October 1, 2002, that gross income test for a single person household is \$960 a month, Procedures Manual § P-2590 C (up from \$931 when the petitioner applied but still well under his gross income of \$2,206.96 a month).

When explained the bases of the Department's determinations at the hearing the petitioner did not dispute either the income figures used by the Department or with the Department's calculations of her deductions and benefit amounts. Inasmuch as the Department's decision appears to be in accord with the pertinent regulations it must be affirmed. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

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