

STATE OF VERMONT

HUMAN SERVICES BOARD

In re ) Fair Hearing No. 20,056  
 )  
Appeal of )

INTRODUCTION

The petitioner appeals a decision by the Department for Children and Families, Economic Services denying his application for General Assistance (GA) benefits for temporary housing in a motel room. The issue is whether there is suitable alternative housing available to the petitioner.

FINDINGS OF FACT

1. The petitioner is a thirty-one-year-old single man with no dependents who lives with his girlfriend. Although he claims to have an "anxiety disorder", there is no indication that he is currently receiving medical care or treatment, or that he is in any way disabled.

2. On November 29, 2005 the petitioner applied for GA for temporary housing in the form of a motel room. At the time the petitioner stated he was living in his van, having moved back to Vermont from Florida about a month before. The Department denied the application because it determined that

space was available for the petitioner at a local homeless shelter.

3. At the hearing (held on November 30, 2005) the petitioner was advised he could reapply for GA for a motel if he could obtain medical evidence that would verify that staying in a shelter is contraindicated for any medical reason.

ORDER

The Department's decision should be affirmed.

REASONS

W.A.M. § 2613.2 includes the following provision:

Temporary housing is intended to provide short term shelter for applicants who are involuntarily without housing through circumstances in which the applicant could not reasonably have avoided the situation and for whom permanent housing or alternative arrangements are not immediately available. . . .

In several past fair hearings the Board has affirmed the Department's policy or "protocol" that, especially for single individuals, homeless shelters, which in Vermont usually offer supervision and counseling or referral services to their residents, and which usually include access to free meals, constitute a suitable, if not preferable, "alternative arrangement" for a homeless person within the meaning of the above regulation and as a matter of sound social policy.

See Fair Hearing Nos. 17,823, 15,383, 13,380, 13,315, and 13,048. The Board has specifically held that to require the Department to fund stays in a motel room an applicant must demonstrate that an available homeless shelter is unsuitable either for medical or compelling personal reasons (see e.g., Fair Hearing Nos. 17,823 and 13,380).

In this case it cannot be found that suitable "alternative arrangements" are not available to the petitioner at this time instead of a GA motel room. Because the Department's denial of the petitioner's application for GA for temporary housing is not inconsistent with the regulations, it must be affirmed. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

# # #