

HUMAN SERVICES BOARD

INTRODUCTION

FINDINGS OF FACT

2. At a review of his Food Stamp eligibility in January 2006, the petitioner reported that his housing costs (rent and utilities) were \$327 a month. The increase in the petitioner's income resulted in a reduction in his Food Stamps from \$152 to \$26 per month effective February 1, 2006.

3. At a hearing in this matter held on March 3, 2006 the petitioner did not disagree with any of the Department's determinations regarding his present income and expenses. He takes issue with the fact that benefits received under one federal program can be used to offset eligibility for another.

ORDER

The Department's decision is affirmed.

REASONS

The Food Stamp regulations include SSI and AABD payments as countable unearned income. Food Stamp Manual (F.S.M.) § 273.9. Those regulations limit deductions from income to those specifically itemized in the regulations. All households under five persons receive a "standard deduction" of \$134. Food Stamp Manual (F.S.M.) § 273.9(d). The petitioner does not qualify for other deductions allowed for dependent care and excess medical expenses. Id.

Households are also entitled to a "shelter deduction" in the amount by which their total shelter costs exceed one half of their net income. In the petitioner's case, his housing costs total \$327 a month. His net income, after the standard deduction from his gross income (\$631 minus \$134), was \$497--

half of which is \$249. His shelter costs exceed half his rent by \$78 (\$327 minus \$249), which is the amount of his allowable shelter deduction. Subtracting this amount from his net income (\$497) results in countable Food Stamp income of \$419. The amount of Food Stamps payable to households with this income is \$26 a month. See P-2590D.

Inasmuch as the petitioner does not dispute that Department's decision in this matter accurately reflected his income and expenses in January 2006, and could not show that the amount of his Food Stamps was not determined in accord with the applicable regulations, the Board is bound by law to affirm the Department's decision. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

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