

STATE OF VERMONT

HUMAN SERVICES BOARD

In re) Fair Hearing No. 16,050
)
Appeal of)
)

INTRODUCTION

The petitioner appeals the determination by the Department of Social Welfare that she is only eligible for \$10 a month in Food Stamps. The issue is whether the Department correctly calculated the petitioner's Food Stamps in light of her monthly expenses.

FINDINGS OF FACT

1. The petitioner lives alone and has monthly income of \$554.91 from SSI.
2. She lives in a subsidized apartment for which she pays \$162 in rent.
3. Because the petitioner lives in subsidized housing she receives a standard utility allowance of \$29.35 a month.
4. The petitioner appealed because she believes that her Food Stamps should be more than \$10 because she has other monthly expenses, including \$200 for an overdue credit card debt.

ORDER

The Department's decision is affirmed.

REASONS

Under the Food Stamp Regulations the amount of a household's monthly allotment is determined according to household income minus any applicable deductions. FSM § 273.9 et seq. All single person households are entitled to a standard deduction of \$134. FSM § 273.9d(1) and Procedures Manual P-2590-A. The only other deduction applicable to the petitioner's situation is the household shelter deduction. This is determined by the amount by which the household's shelter costs (rent and utilities) exceed 50 percent of the household's income after all other deductions have been made. FSM § 273.9d(5).

In the petitioner's case, the standard deduction lowers her countable income to \$420.91 (\$554.91 minus \$134). The petitioner's rent of \$162 plus her monthly utility allowance of \$29.35 (\$191.35) does not exceed 50 percent of \$420.91 (\$220.46). Thus, she is not eligible for a shelter deduction. Her Food Stamps of \$10 a month (which is the minimum payable under the program) is based on a single person household with \$420.91 net income. Procedures P-2590 C.

Unfortunately, under the regulations expenses like credit card debts are not allowed as deductions from income. Inasmuch as the Department's decision is in accord with the pertinent regulations the Board is bound by law to affirm. 3 V.S.A. § 3091(d) and Fair Hearing Rule No. 17.

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