

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)

DETAILED MODEL PLAN

PUBLIC LAW 97-35, AS AMENDED

FISCAL YEAR (FY) 2001

GRANTEE NYS Office of Temporary & Disability Assistance

EIN: 1-14-601-3200-K1

ADDRESS 40 North Pearl Street

Albany, NY 12243

EMAIL: bruce.bowdy@dfa.state.ny.us

TELEPHONE: (518) 473-0332 FAX: (518) 474-9347

PLEASE CHECK ONE: TRIBE _____ STATE xx INSULAR AREA

Department of Health and Human Services
Administration for Children and Families
Office of Community Services
Washington, DC 20447

August 1987, revised May 1992, February 1995, March 1996, December 1998
OMB Approval No. 0970-0075
Expiration Date: 12/31/2001

THE PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13)

Use of this model plan is optional. However, the information requested is required in order to receive a Low Income Home Energy Assistance Program (LIHEAP) grant in years in which the grantee is not permitted to file an abbreviated plan. Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

GRANTEE NYS Office of Temporary & Disability Assistance FFY 2001

Assurances

The NYS OTDA agrees to:

(1) use the funds available under this title to--

(A) conduct outreach activities and provide assistance to low income households in meeting their home energy costs, particularly those with the lowest incomes that pay a high proportion of household income for home energy, consistent with paragraph (5);

(B) intervene in energy crisis situations;

(C) provide low-cost residential weatherization and other cost-effective energy-related home repair; and

(D) plan, develop, and administer the State's program under this title including leveraging programs,

and the State agrees not to use such funds for any purposes other than those specified in this title;

(2) make payments under this title only with respect to--

(A) households in which one or more individuals are receiving--

(i) assistance under the State program funded under part A of title IV of the Social Security Act;

(ii) supplemental security income payments under title XVI of the Social Security Act;

(iii) food stamps under the Food Stamp Act of 1977; or

(iv) payments under section 415, 521, 541, or 542 of title 38, United States Code, or under section 306 of the Veterans' and Survivors' Pension Improvement Act of 1978; or

(B) households with incomes which do not exceed the greater of--

(i) an amount equal to 150 percent of the poverty level for such State; or

(ii) an amount equal to 60 percent of the State median income;

except that a State may not exclude a household from eligibility in a fiscal year solely on the basis of household income if such income is less than 110 percent of the poverty level for such State, but the State may give priority to those households with the highest home energy costs or needs in relation to household income.

(3) conduct outreach activities designed to assure that eligible households, especially households with elderly individuals or disabled individuals, or both, and households with high home energy burdens, are made aware of the assistance available under this title, and any similar energy-related assistance available under subtitle B of title VI (relating to community services block grant program) or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

(4) coordinate its activities under this title with similar and related programs administered by the Federal Government and such State, particularly low-income energy-related programs under subtitle B of title VI (relating to community services block grant program), under the supplemental security income program, under part A of title IV of the Social Security Act, under title XX of the Social Security Act, under the low-income weatherization assistance program under title IV of the Energy Conservation and Production Act, or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

(5) provide, in a timely manner, that the highest level of assistance will be furnished to those households which have the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size, except that the State may not differentiate in implementing this section between the households described in clauses 2(A) and 2(B) of this subsection;

(6) to the extent it is necessary to designate local administrative agencies in order to carry out the purposes of this title, to give special consideration, in the designation of such agencies, to any local public or private nonprofit agency which was receiving Federal funds under any low-income energy assistance program or weatherization program under the Economic Opportunity Act of 1964 or any other provision of law on the day before the date of the enactment of this Act, except that--

(A) the State shall, before giving such special consideration, determine that the agency involved meets program and fiscal requirements established by the State; and

(B) if there is no such agency because of any change in the assistance furnished to programs for economically disadvantaged persons, then the State shall give special consideration in the designation of local administrative agencies to any successor agency which is operated in substantially the same manner as the predecessor agency which did receive funds for the fiscal year preceding the fiscal year for which the determination is made;

(7) if the State chooses to pay home energy suppliers directly, establish procedures to --

(A) notify each participating household of the amount of assistance paid on its behalf;

(B) assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment made by the State under this title;

(C) assure that the home energy supplier will provide assurances that any agreement entered into with a home energy supplier under this paragraph will contain provisions to assure that no household receiving assistance under this title will be treated adversely because of such assistance under applicable provisions of State law or public regulatory requirements; and

(D) ensure that the provision of vendor payments remains at the option of the State in consultation with local grantees and may be contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households, including providing for agreements between suppliers and individuals eligible for benefits under this Act that seek to reduce home energy costs, minimize the risks of home energy crisis, and encourage regular payments by individuals receiving financial assistance for home energy costs;

(8) provide assurances that,

(A) the State will not exclude households described in clause (2)(B) of this subsection from receiving home energy assistance benefits under clause (2), and

(B) the State will treat owners and renters equitably under the program assisted under this title;

(9) provide that--

(A) the State may use for planning and administering the use of funds under this title an amount not to exceed 10 percent of the funds payable to such State under this title for a fiscal year and not transferred pursuant to section 2604(f) for use under another block grant; and

(B) the State will pay from non-Federal sources the remaining costs of planning and administering the program assisted under this title and will not use Federal funds for such remaining cost (except for the costs of the activities described in paragraph (16));

(10) provide that such fiscal control and fund accounting procedures will be established as may be necessary to assure the proper disbursement of and accounting for Federal funds paid to the State under this title, including procedures for monitoring the assistance provided under this title, and provide that the State will comply with the provisions of chapter 75 of title 31, United States Code (commonly known as the "Single Audit Act");

(11) permit and cooperate with Federal investigations undertaken in accordance with section 2608;

(12) provide for timely and meaningful public participation in the development of the plan described in subsection (c);

(13) provide an opportunity for a fair administrative hearing to individuals whose claims for assistance under the plan described in subsection (c) are denied or are not acted upon with reasonable promptness; and

(14) cooperate with the Secretary with respect to data collecting and reporting under section 2610.

(15)* beginning in fiscal year 1992, provide, in addition to such services as may be offered by State Departments of Public Welfare at the local level, outreach and intake functions for crisis situations and heating and cooling assistance that is administered by additional State and local governmental entities or community-based organizations (such as community action agencies, area agencies on aging and not-for-profit neighborhood-based organizations), and in States where such organizations do not administer functions as of September 30, 1991, preference in awarding grants or contracts for intake services shall be provided to those agencies that administer the low-income weatherization or energy crisis intervention programs.

*** This assurance is applicable only to States, and to territories whose annual regular LIHEAP allotments exceed \$200,000. Territories with annual allotments of \$200,000 or less and Indian tribes/tribal organizations are not subject to Assurance 15.**

(16) use up to 5 percent of such funds, at its option, to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance, including needs assessments, counseling, and assistance with energy vendors, and report to the Secretary concerning the impact of such activities on the number of households served, the level of direct benefits provided to those households, and the number of households that remain unserved.

Certification to the Assurances: As Chief Executive Officer, I agree to comply with the sixteen assurances contained in Title XXVI of the Omnibus Budget Reconciliation Act of 1981, as amended.* By signing these assurances, I also agree to abide by the standard assurances on lobbying, debarment and suspension, and a drug-free workplace.

Signature of the Tribal or Board Chairperson or Chief Executive Officer of the State or Territory.**

Signature: _____ "Signature"

Title: Governor

Date: _____ 99/99/99

*** Indian tribes/tribal organizations, and territories with annual regular LIHEAP allotments of \$200,000 or less, are not subject to assurance 15, and thus must only certify to 15 assurances.**

**** If a person other than the Chief Executive Officer of the State or territory, or Tribal Chairperson or Board Chairperson of a tribal organization, is signing the certification to the assurances, a letter must be submitted delegating such authority. (PLEASE ATTACH DELEGATION AUTHORITY.) The delegation must include authority to sign the assurances, not just to administer the program.**

***** HHS needs the EIN (Entity Identification Number) of the State, territory or Tribal agency that is to receive the grant funds before it can issue the grant.**

In the above assurances which are quoted from the law, "State" means the 50 States, the District of Columbia, an Indian Tribe or Tribal Organization, or a Territory; "title" of the Act refers to Title XXVI of the Omnibus Budget Reconciliation Act of 1981 (OBRA), as amended, the "Low Income Home Energy Assistance Act"; "section" means Section 2605 of OBRA; and, "subsection" refers to Section 2605(b) of OBRA.

GRANTEE NYS OTDA

FFY 2001

statutory

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references

2605(a)
2605(b)(1)

➔Please check which components you will operate under the LIHEAP program: (Note: You must provide information for each component designated here as requested elsewhere in this plan.)

(use of funds)

*x heating assistance
 * cooling assistance
 *x crisis assistance
 *x weatherization assistance

*See Attachment I, page 1

2605(c)(1)(C)

➔Please estimate what amount of available LIHEAP funds will be used for each component that you will operate: **The total of all percentages must add up to 100%.**

(use of funds)

* % heating assistance
 n/a % cooling assistance
 * % crisis assistance
 15 % weatherization assistance
 * % carryover to the following fiscal year
 10 % administrative and planning costs
 n/a % services to reduce home energy needs including needs assessment (assurance 16)
 .08 % used to develop and implement leveraging activities (limited to the greater of 0.08% or \$35,000 for States, the greater of 2% or \$100 for territories, tribes and tribal organizations).
 100% **TOTAL**

*See Attachment I, page 2

GRANTEE NYS OTDA

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statutory
references

2605(c)(1)(C) →The funds reserved for winter crisis assistance
(alternate use of crisis assistance funds) which have not been expended by March 15 will be reprogrammed to:

___ heating assistance

___ cooling assistance

___ weatherization assistance

x Other(specify):Funds not expended by 3/15
will remain available in the crisis
component until 2000-2001 crisis
component is closed.

→Do you accept applications for energy crisis
assistance at sites that are geographically
accessible to all households in the area to be
served? (This is required by the statute.)

Yes x No

2605(b)(2) →What are your maximum eligibility limits?
2605(c)(1)(A) (Please check the components to which they apply)
Current year guidelines must be used.

(eligibility)

___ 150% of the poverty guidelines:
heating ___ cooling ___ crisis ___ wx ___

___ 125% of the poverty guidelines:
heating ___ cooling ___ crisis ___ wx

___ 110% of the poverty guidelines:
heating ___ cooling ___ crisis ___ wx ___

x 60% of the State's median income:
heating x cooling ___ crisis x wx x

___ Other (specify for each component)_____

x * Households automatically eligible if one
person is receiving ___ TANF, ___ SSI, ___ Food
Stamps, ___ Certain means-tested veterans programs
(heating ___ cooling ___ crisis ___ wx ___)

* See Attachment I, Page 8, B

GRANTEE NYS OTDA

FFY 2001

statutory
references

2605(c)(1)(A) →Do you have additional eligibility requirements
2605(b)(2) for: HEATING ASSISTANCE *x yes _____ no)
(eligibility)

*Attachment 1

→Do you use: Yes No

Assets test? _____ x

→Do you give priority in eligibility to:

Elderly? (Age 60 & above) x

Disabled? x

Young children? (Age 7 & below) x

Other: x
(If yes, please describe)

An eligible household must directly pay an energy supplier for heat or pay rent which includes heat.

NOTE: Elderly households in receipt of a Senior Citizen Rent Increase Exemption (SCRIE) are not considered subsidized tenants.

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statutory

references

2605(c)(1)(A)

2605(b)(2)

→Do you have additional eligibility requirements
for: COOLING ASSISTANCE (_yes __no _x_n/a)

(eligibility)

→Do you use: Yes No

Assets test?

→Do you give priority in eligibility to:

Elderly?

Disabled?

Young children?

Other:

(If yes, please describe)

GRANTEE NYS OTDA

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statutory

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references

2604(c)

2605(c)(1)(A) →Do you have additional eligibility requirements for: **CRISIS ASSISTANCE** (x yes no)

(eligibility)

	<u>Yes</u>	<u>No</u>
→Do you use:		
Assets test?	<u> x </u>	
Must the household have received a shut-off notice or have an empty tank?	<u> x </u>	
Must the household have exhausted regular benefit?	<u> * </u>	<u> * </u>
Must the household have received a rent eviction notice?	<u> </u>	<u> x </u>
Must heating/cooling be medically necessary?	<u> </u>	<u> x </u>
Other (Please explain):	<u> * </u>	<u> </u>

* (See Attachment "I", pg. 10, D)

→What constitutes a crisis? (Please describe)

(See Attachment "I", pg. 10, D)

GRANTEE NYS OTDA

FFY 2001

statutory

references

2605(c)(1)(A) →Do you have additional eligibility requirements for: **WEATHERIZATION** (____ yes x no)

(eligibility)

→Do you use: Yes No

Assets test? _____ x

Priority groups? (Please list) x

Households with elderly members
Households with young children
Households with disabled members

→Are you using Department of Energy (DOE) Low Income Weatherization Assistance Program (LIWAP) rules to establish

eligibility or to establish priority eligibility for households with certain characteristics?

x

→If yes, are there exceptions? _____ x

Please list below.

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statutory
references

2605(b)(3) → Please check the outreach activities that you
2605(c)(3)(A) conduct that are designed to assure that eligible
households are made aware of all LIHEAP assistance
available:
(outreach)

 x provide intake service through home visits or
by telephone for the physically infirm (i.e.
elderly or disabled).

 x place posters/flyers in local and county
social service offices, offices of aging, Social
Security offices, VA, etc.

 x publish articles in local newspapers or
broadcast media announcements.

 x include inserts in energy vendor billings to
inform individuals of the availability of all
types of LIHEAP assistance.

 x make mass mailing to past recipients of
LIHEAP.

 x inform low income applicants of the
availability of all types of LIHEAP assistance at
application intake for other low-income programs.

 x execute interagency agreements with other
low-income program offices to perform outreach to
target groups.

 x other (Please specify):

- Toll free information hotlines operated by the Office & NYS
Office for Aging.
- Identification of households potentially eligible for LIHEAP
funded weatherization services and assessing the scope of need
for identified households.
- State/local resources dedicated to implementing mandated
outreach plans and program information dissemination activities.
- Targeting efforts to provide program information and access to
"vulnerable households."

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statutory
references

2605(b)(4) → Please describe how you will assure that LIHEAP is coordinated with similar and related programs. The description provided applies to all components unless specifically noted.

(coordination)

HEAP activities will be coordinated with other low-income programs administered by other state and local agencies. A HEAP Interagency Task Force composed of the State Agencies (NYS Office of Temporary & Disability Assistance, NYS Public Service Commission, NYS Office for the Aging, NYS Division of Housing & Community Renewal, Governor's Office, NYS Division of the Budget, NYS Office of Advocate for the disabled, the NYS Consumer Protection Board and NYS Department of Labor) provides a forum for developing the HEAP State Plan and coordinating energy related programs.

In addition, NYSOTDA's HEAP Block Grant Advisory Council composed of representatives from state and local government, energy suppliers, and low-income advocates is consulted in the development of the HEAP State Plan and coordination of energy related programs.

2605(b)(5) → The statute requires that there be no difference
2605(b)(2) in the treatment of households eligible because of
2605(b)(8A) their income and those eligible because they
receive benefits under TANF, Food Stamps, SSI, or
certain means-tested veterans programs
("categorically eligible"). How do you ensure
there is no difference when determining
eligibility and benefit amounts? This applies to
all components unless specifically noted below.

(benefit
levels)

See Attachments I and III

statutory
references

HEATING COMPONENT

2605(b)(5) → Please check the variables you use to determine
your benefit levels (check all that apply):

(determination
of benefits)

- income
- family (household) size
- home energy cost or need
 - fuel type
 - climate/region
 - individual bill
 - dwelling type
 - energy burden
(% of income spent on home energy)
 - energy need
 - other (describe)

2605(b)(5) → Describe how you will assure that the highest
2605(c)(1)(B) benefits go to households with the lowest incomes
(benefit and the highest energy costs or needs in relation
levels) to income, taking into account family size.
Please describe benefit levels or attach a copy of
your payment matrix.

See Attachments I, III and V.

→ Do you provide in-kind (e.g., blankets, space
heaters) and/or other forms of benefits?

Yes No If yes, please describe.

*See Attachment III, Weather related and Supply Shortage (this is
a crisis only benefit).

GRANTEE NYS OTDA

FFY 2001

statutory
references

2605(b)(5)
2605(c)(1)(B)

COOLING COMPONENT

➔Please check the variables you use to determine your benefit levels (check all that apply):

(benefit
determination)

- *Not applicable
- income
- family (household) size
- home energy cost or need
 - fuel type
 - climate/region
 - individual bill
 - dwelling type
 - energy burden
 - (% of income spent on home energy)
 - energy need
 - other (describe)

2605(b)(5)
2605(c)(1)(B)

➔Describe how you will assure that the highest benefits will go to households with the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size. Please describe benefit levels or attach a copy of your payment matrix.

(benefit
levels)

➔Do you provide in-kind (e.g. fans) and/or other forms of benefits?

Yes No If yes, please describe.

GRANTEE NYS OTDA

FFY 2001

statutory
references

2605(b)(5)
2605(c)(1)(B)
(benefit
determination

CRISIS COMPONENT

➔How do you handle crisis situations?

 x separate component other (please
explain)

➔If you have a separate component, how do you
determine crisis assistance benefits?

 x amount to resolve crisis, up to
maximum

 x other (please describe)

See Attachments I and III

(benefit
levels)

➔Please indicate the maximum benefit for each
type of crisis assistance offered.

heating	\$ <u> x* </u>	maximum benefit
cooling	\$ <u> </u>	maximum benefit
year-round	\$ <u> </u>	maximum benefit

* See Attachment III, HEAP Crisis Component

➔Do you provide in-kind (e.g. blankets, space
heaters, fans) and/or other forms of benefits?

* x Yes No If yes, please describe.

*See Attachment III, Weather Related Supply
Shortage

GRANTEE NYS OTDA

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statutory

references

2605(b)(5)
2605(c)(1)
(B) & (D)

**WEATHERIZATION &
OTHER ENERGY RELATED HOME REPAIR AND IMPROVEMENTS**

→What LIHEAP weatherization services/materials do you provide? (Check all categories that apply.)

- Weatherization needs assessments/audits.
- Caulking, insulation, storm windows, etc.
- Furnace/heating system modifications/repairs
- Furnace replacement
- Cooling efficiency mods/repairs/replacement
- Other (Please describe)
-Energy related repairs

→Do you have a maximum LIHEAP weatherization benefit/expenditure per household? yes no

If yes, what is the maximum amount? \$ _____

→Under what rules do you administer LIHEAP weatherization? (Check only one.)

- Entirely under LIHEAP (not DOE) rules
- Entirely under DOE LIWAP rules
- Mostly under LIHEAP rules with the following DOE LIWAP rule(s) where LIHEAP and LIWAP rules differ (Check all that apply):

Weatherize buildings if at least 66% of units (50% in 2- & 4-unit buildings) are eligible units or will become eligible within 180 days

Weatherize shelters temporarily housing primarily low income persons (excluding nursing homes, prisons, and similar institutional care facilities).

Other (Please describe)

Mostly under DOE LIWAP rules, with the following LIHEAP rule(s) where LIHEAP and LIWAP rules differ (Check all that apply.)

Weatherization not subject to DOE LIWAP maximum statewide average cost per dwelling unit.

Other (Please describe.)

-Weatherization where necessary

-Energy Related repairs not included in DOE LIWRAP regulations.

GRANTEE NYS OTDA

FFY 2001

2605(b)(6) →Have you changed local administering agencies from last year? _____ Yes x No
If yes, please describe how you selected them.

(agency
designation)

→What components are affected by the change?
Not Applicable

2605(c)(1)(E) →Please describe any additional steps (other than those described elsewhere in this plan) that will be taken to target assistance to households with high home energy burdens. **(This applies to all components. If all steps to target households with high home energy burdens are described elsewhere in the plan, no further information is required here.)**

statutory
references

2605(b)(7) →Do you make payments directly to home energy suppliers?

(energy
suppliers)

Heating yes no

Cooling n/a yes no

Crisis yes no

If yes, are there exceptions? yes no
If yes, please describe.

Vendor payments are required when the applicant pays a vendor directly for their own heating costs.

2605(b)(7)(A) →If you make payments directly to home energy suppliers, how do you notify the client of the amount of assistance paid? (Please describe)

For both regular and crisis assistance benefits the applicant is provided a notice advising of their eligibility and the amount of assistance paid on their behalf.

2605(b)(7)
(B) & (C)

→How do you make sure the home energy supplier performs what is required in this assurance? If vendor agreements are used, they may be attached. Indicate each component for which this description applies.

Each energy supplier receiving a direct benefit must sign a vendor agreement form. This applies to both regular and crisis payments. A direct benefit is defined as a one party check payable to the energy vendor on behalf of the eligible household or a line of credit payable by a local district on behalf of an eligible household upon receipt of a valid bill from the energy vendor. In the event that an energy supplier refuses to sign a vendor agreement a local district may opt to issue a regular or crisis benefit in the form of a two party check payable to the eligible household and payment to a home energy supplier and as such does not require a signed vendor agreement.

statutory
references

2605(b)(8)(B) → Is there any difference in the way owners and
renters are treated? If yes, please describe.

(owners
and
renters)

HEATING ASSISTANCE

___ yes x no

COOLING ASSISTANCE

___ yes ___ no

CRISIS ASSISTANCE

___ yes x no

WEATHERIZATION

___ yes x no

statutory
references

2605(b)(10) →How do you ensure good fiscal accounting and tracking of LIHEAP funds? (Please describe. Include a description of how you monitor fiscal activities.)

See Attachment I

(program,
fiscal
monitoring,
and audit)

→How do you monitor program activities? (Please be sure to include a description of how you monitor eligibility and benefit determination.)

See Attachment I

→How is your LIHEAP program audited?

Under the Single Audit Act? x yes no
If not, please describe:

For States and Territories:

→Is there an annual audit of local administering agencies? x Yes No
If not, please explain.

See Attachment I

statutory
references

2605(b)(12) ➔How did you get timely and meaningful public participation in the development of the plan?
(Please describe)

(timely and
meaningful
public
partici-
pation)

See Attachment I

2605(a)(2) ➔Did you conduct public hearings on the proposed use and distribution of your LIHEAP funds?
___x___Yes ___ ___No When and where?
(Not required for Tribes and tribal organizations)

(public
hearings)

See Attachment I

statutory
references

2605(b)(13) → Describe your fair hearing procedures for households whose applications are denied or not acted on in a timely manner. When are applicants informed of these rights?

(fair
hearings)

→ Denials

See Attachment I

→ Applications Not Acted On In a Timely Manner

See Attachment I

statutory
references

2605(b)(15) **For States and Puerto Rico only** (not applicable to Tribes and tribal organizations, or to territories whose annual regular LIHEAP allotments are \$200,000 or less):

➔ Does the State agency that administers the following LIHEAP component also administer the State's welfare program?

(alternate
outreach
and intake)

HEATING ASSISTANCE

Yes No

If yes, describe alternate process for outreach and intake:

See Attachment I

COOLING ASSISTANCE

Yes No

If yes, describe alternate process for outreach and intake:

CRISIS ASSISTANCE

Yes No

If yes, describe alternate process for outreach and intake:

See Attachment I

statutory
references

2605(b)(16)

➔Do you use LIHEAP funds to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance? (This assurance refers to activities such as needs assessments, counseling, and assistance with energy vendors.)

x yes no

If yes, please describe these activities.

Outreach and referrals

If yes, how do you ensure that you don't use more than 5% (statutory ceiling) of your LIHEAP funds for these activities?

Outreach activities include identification of households potentially eligible for LIHEAP funded weatherization services and assessing the scope of need for identified households.

This outreach activity is funded through the New York 15% weatherization set aside.

Less than 1/5 of New York's 15% weatherization set aside will be used for this purpose.

statutory
references

2607A ➔Please describe leveraging activities planned
for the fiscal year. **(This entry is optional.)***
(leveraging) Complete this entry if you plan to apply for
LIHEAP leveraging incentive funds and to include
in your leveraging report resources/benefits
provided to low income households this fiscal year
under criterion (iii) in 45 CFR 96.87(d)(2).
Provide the following information for each:
(1) Identify and described each resource/benefit;
(2) Identify the source(s) of each resource; and
(3) Describe the integration/coordination of each
resource/benefit with the LIHEAP program,
consistent with 1 or more of conditions A-H
in 45 CFR 96.87(d)(2)(iii).

See Attachment IV

* Leveraged resources/benefits that are counted under criterion (iii) in 45 CFR 96.87(d)(2) must be identified and described in the grantee's LIHEAP plan and distributed as indicated in the plan. In addition, leveraging resources/benefits that are counted under criterion (ii) must be carried out under one or more components of the grantee's regular LIHEAP program.

statutory
references

2605(b) →Please describe performance goals and measures
planned for the fiscal year. **(This entry is
optional.)**

(performance)
goals and
measures)

Primary Goal

To target energy assistance to low income households with the highest energy needs, taking into account both energy burden and vulnerable household members.

Primary Goal

To increase energy affordability for HEAP recipient households.

Additional Goal

To increase efficiency of energy usage by low-income households.

Program Measures

New York State intends to utilize the following basic measures as an indicator of its success in working toward the above stated general goals. FFY 1999 is the base year for establishing these measures. Target goals have been established for this program year as follows:

1. Number of vulnerable households served, by program component (regular [541,000 households], emergency [44,000 households], weatherization [3,000 households]).
2. Number of households for which LIHEAP assistance avoids loss of energy service (82,000 households).

ATTACHMENT I

2506(a)&2605(b)(1)

During the last two (2) HEAP program years (FFY 1999 and FFY 2000), funds have been released to New York State and other states for heating or cooling purposes. In order to obtain public input the New York State Plan is including Regular and Crisis HEAP program changes which New York State would consider making if additional funds were to become available. The selection of any of the listed program changes is dependent upon several factors including, but not limited to: 1) the amount of funding; 2) parameters or conditions attached to the funds; and, 3) if the funds become available during the heating season or cooling season.

If funds became available during the heating season, OTDA would consider the following modifications to the HEAP State Plan:

- ✓ The issuance of additional regular and/or emergency benefits;
- ✓ An increase in the regular and/or emergency benefit amounts;
- ✓ Providing a supplemental benefit to:
 - Public assistance (PA) recipients on vendor restricted payment for fuel;
 - PA recipients whose PA case is closing and the household has an outstanding utility arrearage which will become due after the PA case closes;
 - Any household receiving a regular HEAP benefit during the most recent/current program year.
 - Households that are active and satisfactorily participating in a utility company low income program whose fuel for heating is provided by a utility (natural gas or electric heat);
 - Additional outreach and referral activities.

If funds became available during the cooling season, OTDA would consider modifying the State Plan in order to operate a cooling program in the following manner:

- Provide a supplemental benefit for utility costs to households that received regular HEAP during the most recent/current program year.
- Purchase and installation of cooling equipment for HEAP eligible/medically needy households.
- Energy conservation measures as approved by HHS and/or DOE.
- Additional outreach and referral activities.

ATTACHMENT I

- 2 -

Section 2605(b)(5) & 2605 (b)(2)

Assurance 5 requires that the highest benefits be paid to those households with the lowest incomes and the highest energy costs in relation to income taking into account family size. In implementing its Home Energy Assistance Program (HEAP), New York State (NYS) operates three direct benefit components: Regular-Heating, Regular-Non-Heating and Crisis.

The NYS HEAP program is structured to accommodate two basic household types:

- o Heaters: Those households responsible for payment of their primary heating costs. For example a household whose main heating source is an oil fired boiler/furnace would have fuel oil as a primary heating fuel. If a HEAP applicant in such a circumstance is responsible for paying for the household's fuel oil supply the applicant would be considered a "heater" household.
- o Non-heaters: Those non-subsidized households which are not directly responsible for their primary heating costs but which pay for heat through an undesignated portion of their monthly rent or mortgage payment.

Benefits will be targeted, through outreach activities, to households with a vulnerable member. Vulnerable would be defined as households containing elderly person(s)(age 60 or older), disabled individual(s), and a child or children under 8 years of age.

In order to target assistance to those households with the highest home energy burden NYS has opted to develop a benefit structure which directs the higher benefits to "heater" households. While certain non-heater households will continue to be excluded from program participation because of their low or negligible home energy burden the traditional NYS "non-heater" eligible household will continue to participate.

2065 (c)(1)(c)

In addition to the standard funding percentage estimates (see page 7) the following percentage estimates for Heating and Crisis assistance have been tentatively established.

The final funding allocated for Heating/Crisis will ultimately be dependent on several factors currently beyond NYS's control including, but not limited to:

- The final New York State LIHEAP allocation for FFY 2001;
- The number of households submitting applications in each program component;
- Weather conditions during the upcoming winter season; and,
- The final carry forward identified for FFY 2000 and utilized during the FFY 2001 program year.

NATIONAL APPROPRIATION	\$1.1b
HEATING ASSISTANCE	56.92%
CRISIS ASSISTANCE	18%

ATTACHMENT I

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REGULAR-HEATING COMPONENT

Benefits to heater households will take into account several criteria:

- o Income Tier
- o existence of a vulnerable population member;
- o the applicant household's energy burden ratio; and
- o household size (in determining Income Tier and Statewide Energy Cost Proxy)

A point value will be assigned to each of the following criteria:

- *o Tier I household.....2 points
- **o Tier II household.....1 point
- ***o one or more vulnerable population member(s).....1 point
- ****o Energy Burden ratio:
 - oo .05 to 8.49%.....2 point
 - oo 8.50% to 15.49% 3 points
 - oo 15.50% and above.....5 points

* Tier I households have gross monthly income at or below 130% of the OMB poverty level.

** Tier II households have gross monthly income between 130% and 60% of the State Median Income (SMI) up to and including 9 person households. For 10 person households and higher, the gross monthly income is at or below 150% of the OBM poverty level.

*** Vulnerable population includes children under 8 years of age, individuals with disabilities, and the elderly.

**** Energy burden is defined as a household's energy expenditures divided by the income of the household. A Statewide Energy Costs Proxy has been established utilizing the current public assistance fuel for heating allowance schedules and the Home Energy Allowance (HEA) and Supplemental Home Energy Allowance (SHEA) schedules. (SEE ATTACHMENT V) In establishing a household's energy burden ratio the statewide energy costs proxy (which varies by fuel type and household size) will be utilized. Households which could possibly fall into a higher energy burden ratio category if actual costs were used will be given the opportunity to document actual costs for inclusion in the ratio determination. The household income to be utilized in the ratio determination will be gross household income during the month of application times 12 to arrive at an annual income figure.

Using the above point structure the least total points a household could accumulate would be two (2):

- o Tier II household.....1 point
 - o Energy Burden ratio less than 8.50%.....2 points
- 3 Total points

The largest possible point value would be eight (8):

- o Tier I household.....2 points
 - o one or more vulnerable household member.....1 point
 - o energy burden ratio greater than 15.49%.....5 points
- 8 Total points

A standard statewide point value will be set depending on the funding ultimately authorized for FFY 2001 and a household benefit will be established by multiplying the household's total points by the standard point dollar value. For example:

Ms. B, a Family Assistance recipient, and her two young children (ages 2 and 4) rent an apartment and are responsible for payment of a natural gas primary heating bill. Ms. B's energy burden ratio is determined to be 13%. Ms. B's total point value is six (6).

- o 2 points - Tier I household
- o 1 point - one or more vulnerable population members
- o 3 points - energy burden ratio between 8.50 - 15.49%

6 Total points

If the statewide per point dollar value was set at \$50, Ms. B's HEAP benefit would be \$300 (6 points x \$50 = \$300).

REGULAR-NON-HEATING COMPONENT

Non-excluded households which are not directly responsible for primary heating costs but which pay for heat through an undesignated portion of their monthly rent or mortgage payment will receive a benefit based on a two-tier payment structure. A household's tier grouping is dependent on the household's gross monthly income taking into account household size.

Tier I households (below 130% of the OMB poverty level), the lowest income grouping, will receive a non-heating benefit of \$50. Tier II households (between 130 and 60% of the State Median Income) will receive a benefit equal to \$40. In this manner non-heater households in the lowest income grouping which generally pay a higher percentage of their income for indirect heating costs will receive a higher benefit than those non-heater households in the higher income grouping (Tier II).

CRISIS COMPONENT

The crisis component will utilize a benefit matrix varied by fuel type with add on benefit supplements for lower income households (Tier I), households containing at least one vulnerable household member and households with more than four household members.

Historical typical billing and pricing data for New York State residents with various fuel types will be utilized to establish the base crisis benefit amounts.

In this manner a crisis structure was developed to provide a benefit to effectively alleviate an eligible household's heat-related energy crisis while assuring that the highest benefit will be paid to those households with the highest energy costs in relation to income taking into account family size.

Section 2605(b)(6) and 2605(b)(15)

As with other income-tested assistance programs administered by NYSOTDA, HEAP is state supervised/locally administered with 58 local departments of social services (LDSS) designated as the lead local agencies for outreach, certification, and payment. Prior to program start-up, each LDSS must establish a local certification network which provides for an alternative non-LDSS site(s) for a reasonable share of outreach and intake for regular and emergency HEAP assistance. An LDSS may contract with other State or local government entities or community based organizations to fulfill this mandate. Examples of community based organizations include not-for-profit neighborhood-based organizations, local offices for aging, and community action agencies. In local districts where such organizations do not administer these functions as of September 30, 1991, an open solicitation process must be initiated to attempt to establish an alternate intake site. Where multiple bids are submitted, which are equal in all other respects,

contracts must be awarded to the local agency that administers the low income weatherization or energy crisis intervention program if such agency is one of the submitting entities. If no alternatives are found in a local district after engaging in an open solicitation process, no further attempts need to be made to secure an alternate intake site. NYSDSS will enter into an interagency agreement with the NYS Office for the Aging to provide outreach and certification for the elderly and disabled.

In regard to weatherization services NYSDSS will enter into an inter-agency agreement with the NYS Division of Housing and Community Renewal (DHCR) and NYS Office for Aging (SOFA). DHCR will utilize their existing sub-grantee network of community action agencies and community based organizations to provide such services at the local level. SOFA will utilize its Local Office for Aging network. NYSDSS may also provide weatherization packaging funding directly to local social services districts.

Section 2605(b)(8)(A)

New York State has adopted maximum income guidelines equal to the greater of 150% of the OMB poverty level or 60% of State Median Income (See Attachment for maximum income guidelines). No household at or below 110% of the OMB poverty level will be denied access to any program component solely on the basis of income.

Non-income related eligibility criteria for each program component will be applied uniformly to all applicant households.

Section 2605(b)(9)

NYSDSS will limit use of funds for planning and administering HEAP to no more than 10 percent of the combined total of New York State's FFY 2001 allocation plus any LIHEAP Leveraging funds awarded to the State.

Section 2605(b)(10)

NYSDSS will utilize fiscal and fund accounting procedures similar to those utilized by NYSDSS and LDSS in the administration of other income-tested assistance programs.

The NYSDSS Welfare Management System (WMS) will be utilized to monitor application activity and benefits authorized. Since New York City does not utilize WMS for HEAP, New York City will provide manual reports of its activity.

At a minimum, NYSDSS staff will conduct on-site monitoring reviews, in the ten local districts with the largest number of application approvals during the immediately preceding HEAP program year, to assure proper implementation of HEAP policies and procedures. In addition, each local district must prepare an independent audit of its HEAP program and expenditures the results of which will be reviewed by this Department and any inadequacies will be addressed.

In monitoring other state agencies, NYSOTDA will require regular program and fiscal reports and may review program operations as needed.

As required, New York State will prepare an audit of its HEAP expenditures.

Section 2605(b)(11)

New York State will permit and cooperate with Federal investigations undertaken in accordance with Section 2608.

Section 2605(b)(12)

To solicit public input in the development of the proposed 2000-01 State Plan, needs assessment hearings were conducted in New York City on March 14, 2000, and in Albany on March 16, 2000 and in Batavia on March 21, 2000. In addition, written comments were solicited and received through March 22, 2000. Public notice of the needs assessment process was published in the New York State Register and in the State's major newspapers.

A public notice, advising of the availability of the proposed State Plan for public inspection and the public hearing, appeared in the newspapers on September 29, 2000. Two public hearings were held: one in Albany on October 12, 2000 and one in New York City on October 11, 2000. Written comments were accepted through October 12, 2000.

The NYSOTDA HEAP Block Grant Advisory Council and Inter-Agency Task Force have been consulted in the development of the HEAP State Plan. The HEAP State Plan was submitted to the New York State Legislature prior to the submission of the plan to the Secretary of the U.S. Department of Health and Human Services.

Section 2605(b)(13)

Individuals whose applications for HEAP benefits are denied or not acted upon with reasonable promptness are afforded an opportunity for a fair hearing conducted by NYSOTDA. For the Division of Housing and Community Renewal (DHCR) weatherization component, households have an opportunity for appeal before the DHCR.

Applicants are advised of fair hearing rights on the timeliness of the eligibility decision at the time of application by the provision of the "Application Rights" notice. Additionally, the "Notice of Eligibility Decision" provided to all applicants, both approved and denied, contains fair hearing rights language.

Section 2605(b)(14)

NYSOTDA will cooperate with the Secretary in respect to data collection and reporting.

Section 2605(c)(1)(A)

The following criteria will be utilized to determine eligibility for HEAP benefits.

A) Household Definition

A household is defined as any individual or group of individuals who are living together as one economic unit for whom residential energy is customarily purchased in common or who make undesignated payments for energy in the form of rent and such individual or group of individuals occupy a housing unit. Any individual residing in a housing unit who is related by blood, marriage or adoption to any other household member shall be presumed a household member in determining HEAP eligibility unless he/she supplies reasonable evidence to rebut this presumption. Relationship by blood, marriage or adoption shall be deemed to include the following:

- o father, mother, son, daughter, brother, sister;
- o stepfather, stepmother, stepbrother, stepsister.

NOTE: For a residential dwelling unit in a multiple family dwelling, all persons related by definition and residing in any one unit are part of a single household for HEAP purposes.

B) Categorically Eligible Households

Households in which one or more individuals are in receipt of Safety Net Assistance, Family Assistance or SSI (categorized as Code A "living alone") or Food Stamps shall be categorically income eligible.

Such households with the following living arrangements will not be eligible:

- o tenants of government-subsidized housing unless such household directly pays an energy supplier for heating.
- o individual(s) paying room only or room and board and not residing in a commercial enterprise.
- o individual(s) temporarily housed in a hotel/motel.
- o residents of congregate care facilities, including Title XIX facilities, dormitories, and unlicensed congregate care facilities.
- o persons living temporarily in cars, vans, or recreational vehicles.

- o Individuals who live on military bases in government-provided housing with no utility or heating bills in their names.
- o Individuals who have no responsibility for any heating costs and do not make undesignated payments for heat in the form of rent.
- o Individuals who are migrant or seasonal farm workers with no heating or heat related expenses.
- o children residing in agency boarding homes, group homes, or institutions who are in receipt of payments pursuant to Title IV-E of the Social Security Act or Article 6 of the Social Services Law.

C) Income Tested Households

For income tested households, the maximum income eligibility limit will be set at the greater of 150% of the OBM poverty level or 60% of the State Median Income.

See Attachment III, page 1.

Such households with the following living arrangements will not be eligible:

- o tenants of government-subsidized housing unless such household directly pays an energy supplier for heating.
- o individual(s) paying room only or room and board and not residing in a commercial enterprise.
- o individual(s) temporarily housed in a hotel/motel.
- o residents of congregate care facilities, including Title XIX facilities, dormitories, and unlicensed congregate care facilities.
- o persons living temporarily in cars, vans, or recreational vehicles.
- o individuals who live on military bases in government-provided housing with no utility or heating bills in their names.
- o individuals who have no responsibility for any heating costs and do not make undesignated payments for heat in the form of rent.
- o individuals who are migrant or seasonal farm workers with no heating or heat related expenses.

- o children residing in agency boarding homes, group homes, or institutions who are in receipt of payments pursuant to Title IV-E of the Social Security Act of Article 6 of the Social Services Law.

D) In addition to the above criteria in A-C, an individual is not eligible for HEAP unless he or she is a United States citizen or a qualified alien as defined by the federal government. The federal government considers the following to be qualified aliens:

- An alien granted Permanent Resident Alien Status under the Immigration and Nationality Act;
- An alien grant asylum under Section 208 of the Immigration and Nationality Act;
- A refugee admitted to the United States under Section 207 of the Immigration and Nationality Act;
- An alien paroled into the United States under Section 212 (d)(5) of the Immigration and Nationality Act for a period of at least one year;
- An alien whose deportation is being withheld under Section 243(h) of the Immigration and Nationality Act as in effect prior to April 1, 1997, or whose removal is being withheld under Section 241(b)(3) of the Immigration and Nationality Act;
- An alien granted conditional entry under Section 203(a)(7) of the Immigration and Nationality Act prior to April 1, 1980;
- An alien who is a Cuban/Haitian entrant as defined in Section 501(e) of the Refugee Education Assistance Act of 1980;
- An alien who (or whose child parent) has been battered or subjected to extreme cruelty in the United States and otherwise satisfies the requirements of 8 U.S.C. 1641©;
- A Native North American Indian born in Canada or a member of a federally recognized Indian tribe born outside of the United States who is residing in the United States.

E) Emergency Benefits

The emergency benefits component has been designed to resolve energy crisis situations including weather-related and supply shortage emergencies and other household energy emergencies. A variety of potential emergency benefits, when used in conjunction with each other and/or the household's regular benefit, will effectively alleviate utility termination threats, the lack of non-utility heating fuel, essential applicant owned heating equipment repairs and replacements, temporary emergency shelter/relocation needs, propane installations/re-connections and supply shortages.

To be eligible for an emergency benefit the applicant household must:

- o meet HEAP eligibility criteria (NOTE: Households with at least one PA recipient, Code A SSI recipient, and/or active food stamp recipient are considered categorically income eligible.) **Except a tenant of record and/or customer of record who is ineligible for regular HEAP benefits because they are not a United States Citizen or a qualified alien may receive emergency HEAP benefits on behalf of members of the household who are United States Citizens or qualified aliens.**

AND

- o be currently without heating fuel or have a heating fuel supply that will last less than 7 calendar days.

OR

- o have heat-related utility service (primary heating source or electricity essential to operate the heating equipment) currently disconnected or scheduled for disconnection.

OR

- o have essential heating equipment that is inoperable or unsafe and is in need of repair/replacement.

OR

- o be in an emergency home heating situation which is deemed by the local social services department to be detrimental to the health or safety of household members if temporary emergency shelter or relocation is not provided.

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AND

- o other housing accommodations appropriate for the household's best interests are not available, alternative payment arrangements cannot be made, and the household does not have liquid resources sufficient to ameliorate the energy emergency.

An emergency HEAP benefit may only be issued when it is determined that a regular HEAP benefit is either not available, has been previously exhausted, or is insufficient to ameliorate the household's emergency.

All emergency applications with the exception of certain public assistance and food stamp recipients must be made in person. Mail-in applications are not permitted for the emergency component. Authorized representatives may apply on behalf of disabled/ill individuals when there is no other adult household member available. A signed, dated note from the applicant authorizing the representative to apply on his/her behalf is required and the authorized representative must verify his/her own identity.

Each local district, in designing its local certification network, must provide the means by which a disabled/ill and homebound individual, who has no one to act as an authorized representative, can apply for a HEAP emergency benefit. This may be accomplished, at the discretion of the local district, by a home visit or, if the applicant is physically able, by arranging transportation for the applicant to a site where emergency HEAP applications are taken.

To be eligible for a HEAP emergency benefit, the applicant must document that he/she is the tenant of record with primary responsibility for the payment of his/her residential energy bill. A tenant of record is a person who has or persons who have primary responsibility for payment of the rent/mortgage for their dwelling unit. Individuals who contribute a portion of the monthly rent/mortgage to a person responsible for payment of the monthly rent/mortgage will not be considered a tenant of record. To have primary responsibility for the payment of residential energy costs the applicant must be the customer of record with a home energy vendor. The term customer of record means a person or persons who have an account, in their name, with a home energy vendor.

Essential heating equipment repair/replacement is limited to applicant-owned heating equipment.

NOTE: The emergency energy crisis of an eligible household must be resolved within 18 hours of application if the applicant's residence is without power or a fuel for heating supply. Imminent loss of heat-related service or fuel supply for all other eligible households must be resolved within 48 hours of application. In some instances, provision of assistance in resolving the immediate energy need may include temporary relocation, obtaining an extension of service from the household's utility company, or other

appropriate temporary remedies in order to fully evaluate the scope of the emergency or the applicant household's eligibility. However, the primary objective shall be to continue/restore heat to an eligible applicant's residence.

To maximize HEAP accessibility and/or target benefits to the lowest income households which contain a vulnerable member(s), along with limiting administrative costs, the following outreach and certification components will be utilized.

A) Public Assistance Automatic Benefit Component

Public Assistance (PA) automatic benefits will be provided based upon the following; active case status at the time of the PA pull-down for November, 2000 and HEAP eligibility criteria are met. Such automatic payments will be made by LDSS.

B) Supplemental Security Income (SSI) Outside New York City

SSI Code A recipients listed on the October 2000 SDX and who are not in active receipt of Food Stamps (FS) will automatically be sent an application that will be processed by the local certifying agency. See (Paragraph D) for treatment of SSI/FS recipients in rest of state (ROS).

New York City

The New York City Human Resources Administration will be responsible for providing automatic benefits to the eligible New York City Code A SSI households in active payment status during October 2000. Such households will receive the "Heat Included in Rent" benefit and may apply for a supplemental benefit if they pay for heat directly. HEAP eligible Code A SSI recipients in receipt of food stamps will be paid through the Food Stamp Automatic Benefit component (See Paragraph D).

C) Mail-In Applications for Elderly and Disabled (Including Code A SSI Recipients)

Mail-in certification will be permitted for regular HEAP benefits for heads of households age 60 or over, categorically eligible Code A SSI recipients and heads-of-households in receipt of or determined eligible for Retirement, Survivors or Disability Insurance Benefits under Title II of the Social Security Act as a result of disability.

D) Food Stamp Automatic Benefit Component

Food Stamp (FS) automatic benefits will be provided based upon the following: active case status at the time of the FS pull-down for November 2000, and other HEAP eligibility criteria are met. Such automatic payments will be made by LDSS.

E) Optional Telephone Recertification of the Elderly

Local Districts are given the option to conduct a telephone recertification interview for regular HEAP benefits. This process will be for households that received regular HEAP in the preceding program year and who have a household member who is age 60 or older.

Local Districts choosing to implement this option must notify OTDA that they are participating. This option replaces the traditional mail-in process for all households meeting the above criteria.

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Regular HEAP Income Eligibility Guidelines

Household Size	Tier I*	Tier II**
1	0 - \$ 905	\$ 906 - \$1,486
2	0 - 1,219	1,220 - 1,943
3	0 - 1,533	1,534 - 2,400
4	0 - 1,847	1,848 - 2,857
5	0 - 2,161	2,162 - 3,314
6	0 - 2,475	2,476 - 3,771
7	0 - 2,790	2,791 - 3,857
8	0 - 3,104	3,105 - 3,943
9	0 - 3,418	3,419 - 4,028
10	0 - 3,732	3,733 - 4,306
10+	+ \$314	+ \$363

*Tier I figures represent 130% of Federal Poverty Levels and were derived by utilizing the new 100% Poverty Level data from the 2000 HHS Poverty Guidelines.

**New York State has determined to use the maximum benefit level allowable for each household. Therefore, Tier II figures for households up to and including nine (9) members are based on 60% of the State Median Income derived from the State Median Estimates for Use in FY2001).

Figures for households of 10 members and above are based on 150% of the Federal Poverty Level (derived from the 2000 HHS Poverty Guidelines).

Emergency HEAP Income Guidelines

Household Size	Maximum Income
1	0 - \$ 1,486
2	0 - 1,943
3	0 - 2,400
4	0 - 2,857
5	0 - 3,314
6	0 - 3,771
7	0 - 3,857
8	0 - 3,943
9	0 - 4,028
10	0 - 4,306
10+	+ \$363

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HEAP CRISIS COMPONENT

The HEAP crisis component consists of a variety of benefit types designed to address the heat-related emergency needs of eligible households. For the purpose of this plan they have been grouped in the following manner:

Fuel/Utility Supply Related

Fuel/ Utility Supply related benefits will consist of a base benefit determined by primary fuel type and supplemental add-ons depending on an eligible household's individual characteristics.

A base emergency payment will be determined as follows:

A) Heat-related Domestic Electric

When an eligible household's domestic utility service is necessary to operate the primary heating equipment, a base emergency benefit of \$100 is designated.

B) Natural Gas Heat Only

When an eligible household's primary heating source is natural gas, a base emergency benefit of \$235 is designated.

C) Electric Heat Only

When an eligible household's primary heating source is electricity and the household is billed separately for domestic utility service, a base emergency benefit of \$385 is designated.

D) Combined Bills

When an eligible household's primary heating utility service (natural gas or electric) and domestic electric utility service necessary to operate primary heating equipment are provided and billed by a single utility company on a combined bill, a Type A and the appropriate Type B or C benefit should be combined to arrive at the households designated emergency base benefit.

E) Non-Utility Heating Fuel

When an eligible household's primary heating fuel is a non-utility fuel a base benefit of \$400 may be designated.

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F) Add-on Supplemental Benefit(s)

The following amounts should be added to an eligible household's emergency base benefit if the appropriate household characteristics are present:

- 1) +\$25 Tier I household
- 2) +\$50 Household with a least one vulnerable member
- 3) +\$50 Household with more than 4 persons

NOTE: Eligible households may potentially receive one Type A and one Type B, C or E based benefit; or one Type D based combined benefit each program year.

Other Heat Related Emergencies**G) Repair/Replacement of Essential Heating Equipment**

The maximum total benefit provided for repair of essential heating equipment during the 2000-01 HEAP season may not exceed \$2,500, unless approved by OTDA.

H). Temporary Emergency Shelter or Relocation

The maximum total benefit may not exceed \$500 during the 2000-01 HEAP season.

I). Propane Installation/Reconnection

The maximum total benefit may not exceed \$500 during the 2000-01 HEAP season.

J). Weather Related and Supply Shortage

In the event of weather-related emergencies and/or a temporary fuel shortage, the local department of social services is authorized to purchase an appropriate supply of safe supplemental heating devices which meet local building codes and which can be loaned to eligible households until such time as a delivery of the household's primary heating fuel can be obtained. Provision of emergency shelter or temporary relocation is also an acceptable form of assistance which is appropriate to resolve such household's immediate energy needs until the weather improves sufficiently or a supply of fuel is obtained.

Leveraged Resources

New York State has developed a variety of leveraged resources which it believes meet the basic criteria of the LIHEAP leveraging incentive program. The following resources as identified and described, while not provided to low income households as part of (through or within) New York State's HEAP program, are distributed to HEAP eligible households in coordination, cooperation, and conjunction with 2000-01 (FFY 2001) HEAP.

1. New York State Public Service Commission (PSC) regulations and/or State law prohibit collection by regulated utilities of security deposits and in some cases reconnect fees from any person known to be a recipient of public assistance, supplemental security income (SSI), or additional state payments. This population is categorically income eligible for HEAP under New York State HEAP State Plan and the resulting leveraged benefit to the household is readily quantifiable.
2. Each year part of NYS's LIHEAP appropriation is utilized by the New York State Division of Housing and Community Renewal (DHCR) to provide weatherization services to HEAP eligible households through the Weatherization Assistance Program (WAP). The WAP program is able to leverage additional weatherization services for each eligible household as a result of mandated landlord contributions above and beyond LIHEAP funding earmarked for the household. This additional private funding which allows the purchase, delivery, and/or installation of weatherization material is a countable leveraged resource. This resource should be countable under either criterion ii or iii as specified in 45 CFR 96.87(d)(2).
3. Federal guidelines provide that state cash resources that are used in any base period for cash benefits to or on behalf of HEAP benefit recipients for heating, cooling, energy crisis, weatherization assistance including payment towards recipient household's home energy costs, are countable as leveraged resources. New York State, as part of its fully state locally funded Safety Net (SNA) Assistance Program, provides households responsible for paying heating costs directly with a basic fuel allowance each month. In addition, all SNA recipient households are given a home energy allowance and supplemental home energy allowance which by definition are provided to eligible households to cover increases in the cost of energy. Although all Safety Net Assistance Program (SNA) recipients are categorically eligible for LIHEAP, New York gives a targeted priority for receipt of a LIHEAP benefit to those households which contain a vulnerable household member (over 60, disabled or under eight years of age).

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In addition, New York State Law requires the payment of up to four months of utility arrearages to eligible households in order to prevent termination of utility service. Two State/locally funded programs of financial assistance, SNA and Emergency Assistance to Adults (EAA), are utilized to make such payments on behalf of applicants. Ineligibility for New York's LIHEAP program or denial of LIHEAP assistance in the base period because of LIHEAP's funds unavailability is necessary to receive assistance from this resource (45 CFR 96.87(d)(2)(iii)(C). To the extent that these SNA and EAA payments are made on behalf of HEAP eligible households, NYS intends to consider them as leveraged resources.

This resource is provided to SNA/LIHEAP-eligible households and is a supplement and/or alternative to the benefits provided by or through New York's LIHEAP program, and is provided outside the LIHEAP program. The resource is integrated and coordinated with New York's LIHEAP program in the following way:

- o New York State has developed a wholly interactive process to assure that the energy-related needs of SNA recipients are met. During the period when New York's LIHEAP program is operational, local staff responsible for coordinating the provision of LIHEAP benefits to SNA recipients and for authorizing this resource or benefit are one and the same. The local social services district case worker(s) assigned to each individual SNA recipient are responsible for addressing the individual household's home energy needs. Through access to New York's Welfare Management System (WMS), all case workers are able to determine, at any point in time, all LIHEAP and non-LIHEAP benefit payments issued to each individual case. In addition, the WMS computer system that is used to authorize and track payments contains case specific historical and demographic, and income information, all of which is readily available to the caseworker by simple system inquiry. Because of this comprehensive system access capability, the documentation of LIHEAP eligibility and the amount of assistance received or to be received by the individual/case is always known and system-documented fact before, during and after assistance is provided to each household to be served by the resource.

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4. All Public Service Commission (PSC)-regulated utilities in NYS operate non-public funded fuel funds to assist their service territory population with payment of energy bills. These resources are targeted to HEAP eligible households which have exhausted their HEAP eligibility or are ineligible because of the unavailability of LIHEAP funding. As such, this resource meets the integration/coordination requirement as contained in 45 CFR 96.87(d)(2)(iii)(C).
5. New York has exempted the collection of sales taxes from Public Assistance recipients whose ongoing utility/fuel bills are restricted and paid by the local department of social services. The NYS OTDA, Division of Temporary Assistance, which coordinates the State's HEAP program, was instrumental in pursuing and obtaining this exemption several years ago. The purchasing power of these PA recipients is materially enhanced by the fact that they do not have to pay any sales tax. This resource meets the countable resource criteria as outlined in 45 CFR 96.87(d)(2)(i).

The exemption is in effect a discounted price available to a specific segment of the categorically HEAP eligible population in New York State.

6. New York State intends to pursue a sale tax exemption for recipients of HEAP emergency benefits. If this effort is successful, the purchasing power of these HEAP recipients will be materially enhanced. As in Activity #5, such an exemption would be, in effect, a discounted price available to HEAP eligible households. This resource meets the countable resource criteria as outlined in 45 CFR 96.87(d)(2)(i).
7. Several New York utility companies have recently implemented low income customer assistance plans. The plans consist of two components: rate moderation and uncollectable initiatives will be undertaken, including a negotiated percentage of income plan coupled with an arrearage forgiveness arrangement. The plan is a product of extensive discussions among PSC staff, utility companies, the NYS Consumer Protection Board, this Department (HEAP program staff), the Public Utility Law Project, and Multiple Intervenors. To the extent that these leveraged resources are quantifiable, NYS intends to include them in our application for Leveraging Incentive Funds. Where New York's LIHEAP program had an active substantive role in developing and/or acquiring the resource/benefits from home energy vendors, an effort will also be made to quantify and submit any such activity as leveraged resources for New York State HEAP eligible households. This resource is a direct result of HEAP staff involvement in negotiations and regulation development and meets the countable resource criteria as outlined in 45 CFR 96.87(d)(2)(i).
8. New York State (NYS) LIHEAP officials in conjunction with various local social services districts, the NYS Public Service Commission and the National Fuel Gas Distribution Corporation have established the Public Assistance Cooperative for Energy (PACE) program. PACE is a natural gas aggregation program for certain public assistance recipients in Erie, Chautauqua and Niagara Counties in New York State. The program's objective is to provide the benefits of competition to low-income, payment troubled customers by offering the opportunity to

reduce energy costs through aggregation. Other utilities/geographical areas may be added over the course of FFY 2001.

This Resource(s) meets the countable resource criteria as outlined in 45 CFR 96.87(d)(2)(i).

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STATEWIDE ENERGY COSTS PROXY DEVELOPMENT PROCESS

An essential factor in the 2000-01 HEAP Regular-Heating benefit determination process is the identification of a HEAP eligible household's energy burden ratio. Energy burden ratio has been defined as a household's energy expenditures divided by the income of the household. In an effort to retain its ability to serve a higher percentage of its potentially eligible population New York State has developed a mechanism to allow the automatic determination of a household's energy burden ratio by utilizing an energy costs proxy for each household which varies by fuel type and household size. While the statewide energy costs proxy will be routinely utilized, provision has been made for a household to document actual costs which exceed the standard proxy amount where the household could qualify for a larger benefit because of a resulting higher energy burden ratio.

The statewide energy costs proxy development process included the following steps:

- Step I: Identification of the public assistance (PA) monthly fuel for heating allowances by household size and county grouping and the monthly PA Home Energy Allowance (HEAP) and Supplemental HEA schedules broken by household size (Attachment V, page 2).
- Step II: Annualization and averaging of Step I data (Attachment V, page 3).
- Step III: The Statewide Energy Cost Proxy will be set at the annual amount indicated in the County Grouping with the highest annual costs.(Attachment V, page 4)

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Monthly Public Assistance (PA) Fuel for Heating Allowance Schedules

Fuel Type: Oil, Kerosene, Propane

County Group	<u>Household Size</u>					
	1 - 3	4	5	6	7	8+
I	70	73	77	82	88	93
II	68	71	74	80	85	91
III	69	72	75	81	87	92
IV	69	72	75	81	87	92
V	72	75	78	84	90	96
VI	71	74	78	83	89	95
VII	77	80	84	90	96	102

Fuel Type: Natural Gas, Coal, Wood, Municipal Electric, and Other

County Group	<u>Household Size</u>					
	1 - 3	4	5	6	7	8+
I	56	58	61	65	69	74
II	55	57	60	64	68	73
III	54	56	58	63	67	71
IV	58	60	63	68	72	77
V	58	60	63	67	72	77
VI	55	57	60	64	69	73
VII	56	68	71	77	82	87

Fuel Type: PSC Regulated Electric Utilities and Village of Greenport

County Group	<u>Household Size</u>					
	1 - 3	4	5	6	7	8+
I	90	94	99	106	113	120
II	105	109	114	123	131	139
III	107	111	117	125	134	142
IV	120	125	131	140	150	160
V	122	127	133	142	152	162
VI	122	127	133	143	153	163
VII	140	146	153	164	175	186

Monthly Home Energy Allowance (HEA) and Supplemental HEA Schedules

	1	2	3	4	5	6	7	8+
HEA	\$14.10	\$22.50	\$30.00	\$38.70	\$47.70	\$55.20	\$62.70	\$70.20
SHEA	\$11.00	\$17.00	\$23.00	\$30.00	\$37.00	\$42.00	\$47.00	\$52.00
HEA/ SHEA	\$25.10	\$39.50	\$53.00	\$68.70	\$84.70	\$97.20	\$109.70	\$122.20

Fuel Type: Oil, Kerosene, Propane

County Group	<u>Household Size</u>							
	1	2	3	4	5	6	7	8+
I	\$1,141	\$1,314	\$1,476	\$1,700	\$1,940	\$2,150	\$2,372	\$2,582
II	1,117	1,290	1,452	1,676	1,904	2,126	2,336	2,558
III	1,129	1,302	1,464	1,688	1,916	2,138	2,360	2,570
IV	1,129	1,302	1,464	1,688	1,916	2,138	2,360	2,570
V	1,165	1,338	1,500	1,724	1,952	2,174	2,396	2,618
VI	1,153	1,326	1,488	1,712	1,952	2,162	2,384	2,606
VII	1,225	1,398	1,560	1,784	2,024	2,246	2,468	2,690

Fuel Type: Natural Gas, Coal, Wood, Municipal Electric, and Other

County Group	<u>Household Size</u>							
	1	2	3	4	5	6	7	8+
I	\$ 973	\$1,146	\$1,308	\$1,520	\$1,748	\$1,946	\$2,144	\$2,354
II	961	1,134	1,296	1,508	1,736	1,934	2,132	2,342
III	949	1,122	1,284	1,496	1,712	1,922	2,120	2,318
IV	997	1,170	1,332	1,544	1,772	1,982	2,180	2,390
V	997	1,170	1,332	1,544	1,772	1,970	2,180	2,390
VI	961	1,134	1,296	1,508	1,736	1,934	2,144	2,342
VII	973	1,146	1,308	1,640	1,868	2,090	2,300	2,510

Fuel Type: PSC Regulated Electric Utilities and Village of Greenport

County Group	<u>Household Size</u>							
	1	2	3	4	5	6	7	8+
I	\$1,381	\$1,554	\$1,716	\$1,952	\$2,204	\$2,438	\$2,672	\$2,906
II	1,561	1,734	1,896	2,132	2,384	2,642	2,888	3,134
III	1,585	1,758	1,920	2,156	2,420	2,666	2,924	3,170
IV	1,741	1,914	2,076	2,324	2,588	2,846	3,116	3,386
V	1,765	1,938	2,100	2,348	2,612	2,870	3,140	3,410
VI	1,765	1,938	2,100	2,348	2,612	2,882	3,152	3,422
VII	1,981	2,154	2,316	2,576	2,852	3,134	3,416	3,698

Statewide Energy Cost Standard

Fuel Type	<u>Household Size</u>							
	1	2	3	4	5	6	7	8+
Oil								
Kerosene	\$1,225	\$1,398	\$1,560	\$1,784	\$2,024	\$2,246	\$2,468	\$2,690
Propane								
Nat Gas								
Coal,	\$ 997	\$1,170	\$1,332	\$1,640	\$1,868	\$2,090	\$2,300	\$2,510
Wood								
Muni El								
PSC El								
Village of Greenport Electric	\$1,981	\$2,154	\$2,316	\$2,576	\$2,852	\$3,134	\$3,416	\$3,698

**FFY LIHEAP REPORT
APPLICANT HOUSEHOLDS ASSISTED
NEW YORK STATE**

	HEATING	CRISIS	WEATHERIZATION
TOTAL # OF HH'S ASSISTED	659,270	90,026	2,818
HH'S ASSISTED BYPOVERTY LEVEL:			
130% AND UNDER	637,530	85,886	2,536
131% - 250%	21,740	4,414	0
60% of the SMI and under	0	0	0
REQUIRED DATA			
HH'S ASSISTED WITH AT LEAST ONE MEMBER WHO IS:			
ELDERLY	203,800	9,787	170
HANDICAPPED	284,637	19,943	56
UNDER 8 YRS.	309,505	38,199	366
REQUESTED DATA			
HH'S ASSISTED WITH AT LEAST ONE MEMBER WHO IS:			
AGE 2 AND UNDER	123,846	17,311	NOT AVAILABLE
AGE 3 - 5 YRS.	185,681	20,888	NOT AVAILABLE
Ages 5 - 8			
60+, DISABLED, OR UNDER AGE 6	<u>553,491</u>	<u>53,517</u>	<u>NOT AVAILABLE</u>
% HH'S VULNERABLE	83.96%	54.45%	NOT AVAILABLE
APPLICANT HOUSEHOLDS NOT SERVED (DENIED) NEW YORK STATE			
	HEATING	CRISIS	WEATHERIZATION
LESS THAN \$2,000	4,463	2,183	0
\$2,000-\$3,999	1,036	557	0
\$4,000-\$5,999	2,023	1,267	0
\$6,000-\$7,999	9,200	1,639	0
\$8,000-\$9,999	3,512	703	0
\$10,000-\$11,999	3,239	852	0
\$12,000-\$14,999	4,556	1,127	0
\$15,000 AND OVER	<u>12,083</u>	<u>4,695</u>	<u>0</u>
TOTAL	40,112	13,023	0
FFY 1997 TOTAL APPLICANTS	699,382	103,049	2,818