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 | ADMINISTRATIVE DIRECTIVE |
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TRANSMITTAL: 91 ADM-43

TO: Commissioners of
 Social Services

DIVISION: Income
 Maintenance

DATE: October 30, 1991

SUBJECT: Emergency Home Relief Income Eligibility Criteria and Other
 Changes to the Emergency Home Relief Program

SUGGESTED
 DISTRIBUTION:

Income Maintenance Staff
 Food Stamp Staff
 Staff Development Coordinators
 Medical Assistance Staff

CONTACT
 PERSON:

Call 1-800-342-3715 and ask for the following:
 Income Support: Maureen Standish, 3-6555

ATTACHMENTS:

None

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
90 ADM-13		Part 352 Part 370 Part 385	SSL-131-a Chapter 895 of the Laws of 1981 SSL-106	PASB Section IX-F	GIS 91 IM/DC026

I. PURPOSE

To advise social services districts of the following recent amendments to Part 370 of Department regulations:

- A. 370.3(b)(2), which imposes an income standard for emergency Home Relief eligibility;
- B. 370.3(b)(5), which sets forth additional conditions for the payment of shelter arrears under emergency Home Relief;
- C. 370.3(f), which allows a district to accept a deed for real property and/or a mortgage as a condition of granting emergency or temporary Home Relief.

II. BACKGROUND

Prior to these amendments, there was no measurable income standard for emergency Home Relief eligibility other than the absence of available income or resources to meet the emergency need. Also, the regulations did not expressly state that deeds or mortgages could be taken against real property owned by an applicant or recipient when emergency or temporary Home Relief was granted.

In the case of shelter arrears, the regulations were not specific that, in order to receive an allowance for such arrears, the recipient must demonstrate an ability to pay future shelter expenses and that if sufficient income and/or resources are available to secure and maintain alternate permanent housing, shelter arrears need not be paid.

This ADM adds to and modifies the changes to emergency Home Relief in 90 ADM-13.

III. PROGRAM IMPLICATIONS

Limiting payments of emergency Home Relief to persons whose incomes do not exceed a certain amount will establish a more reasonable standard as well as control unnecessary costs. This standard will not apply to persons whose emergency was the result of fire, flood or similar catastrophe or to persons whose emergency needs are the result of a fuel or utility emergency which is met in accordance with Department regulations 352.5(c), (d) and (e).

Clarifying the conditions under which shelter arrears can be paid should ensure that limited emergency funds are used as efficiently as possible.

Districts which accept a deed and/or mortgage on real property as a condition of granting emergency or temporary Home Relief may be able to secure recovery of funds expended for emergency and temporary Home Relief.

IV. REQUIRED ACTION

Social services districts must not authorize emergency Home Relief to individuals or families whose gross incomes exceed 125% of the Federal Income Official Poverty Lines, which are adjusted annually, except in the following two situations:

- A. the emergency was the result of a fire, flood or similar catastrophe; or
- B. the emergency assistance is granted in accordance with Department regulations 352.5(c), (d) and (e).

A Chart setting forth 125% of the current Federal Income Official Poverty Lines follows:

125% OF FEDERAL INCOME OFFICIAL POVERTY LINES
BY FAMILY SIZE, 1991

HH Size	1	2	3	4	5	6	7	8
Annual	\$8275	11100	13925	16750	19575	22400	25225	28050
Monthly	\$ 690	925	1160	1396	1631	1867	2102	2338

For family units with more than eight members, add \$2,825 annually and \$235.42 monthly for each additional family member.

In calculating gross income, the worker must calculate the monthly earnings for each month by:

- a. Using the last eight weeks of pay.

This is done by:

- taking each week of pay, adding together, and dividing by eight; and
- then taking this weekly average and multiplying by a 4 1/3 weeks to arrive at a monthly figure.

This is done only if there has not been a recent change in pay. A recent change in pay is any increase or decrease that is expected to last. Examples of changes are:

- a pay raise;
- taking a second job; and
- going from part-time to full-time employment.

- b. Using the best information available when the last eight weeks of pay cannot be used for some reason. Examples of this are:
- Using the information that is most current when there is a recent change. If the recipient received a raise three weeks ago and that raise is expected to continue, the last three pays would be used to get an average weekly income.
 - Discounting any week(s) where there is an anomaly that is not expected to continue, such as:
 - the client was laid off for a week,
 - the client was sick for part of the period and was not paid, or
 - the client was absent or late and lost pay because of this.

Social services districts must not pay shelter arrears under emergency Home Relief unless the applicant can reasonably demonstrate an ability to pay shelter expenses, including any amounts in excess of the appropriate local agency shelter maximum, in the future. If the social services official determines that the individual or family has sufficient income or resources to secure and maintain alternate permanent housing, shelter arrears need not be paid to maintain the housing accommodation.

When emergency or temporary Home Relief is granted, a district may now accept a deed for real property and/or a mortgage pursuant to Section 106 of the Social Services Law as security for the value of the assistance granted.

V. ADDITIONAL INFORMATION

Food Stamp Implications

The portion of the emergency Home Relief payment made by a social services district on behalf of a PA household to meet an emergency or a special need in the household which exceeds the normal public assistance grant is excluded from income when calculating food stamp benefits. Likewise, an emergency Home Relief payment made by a district on behalf of a non-PA household to meet an emergency or special need of the household is excluded from income when calculating food stamp benefits. Persons applying for emergency Home Relief should also be assessed for eligibility for expedited food stamps.

Medical Assistance Implications

The amendments to the emergency Home Relief program have no impact on Medical Assistance. Districts are reminded that when determining medical assistance eligibility emergency Home Relief payments are disregarded in the month received.

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VI. EFFECTIVE DATE

This directive is effective November 1, 1991 retroactive to July 19, 1991.

Oscar R. Best, Jr.
Deputy Commissioner
Division of Income Maintenance