NOTICE OF INTENT TO CHANGE FOOD STAMP BENEFITS (Timely and Adequate) (NYC)

NOTICE DATE:		NAME AND ADDRESS OF AGENCY/CENTER OR DISTRICT OFFICE
CASE NUMBER	CIN NUMBER	
CASE NAME (And C/O Name if Present) AND ADDRESS		
		GENERAL PHONE NO. FOR QUESTIONS OR HELP _____ OR Agency Conference _____ Fair Hearing information and assistance _____ Record Access _____ Legal Assistance information _____

OFFICE NO.	UNIT NO.	WORKER NO.	UNIT OR WORKER NAME	PHONE NO.

We are CHANGING your food stamp benefits, as explained below, next to the checked boxes ☑:

FOOD STAMP BENEFITS NOT PICKED UP WITHIN 270 DAYS CANNOT BE REPLACED.

1.☐ **REDUCE** your food stamp benefits from $ _____ to $ _____ effective _____.

1a.☐ The benefit on Line 1 above reflects a _____% reduction (recoupment) of $_____ in your benefits. This is because you or your household got more in food stamp benefits than you should have (overpayment). **This decision is based on 18 NYCRR 387.19.**

1b.☐ The benefit on Line 1 above reflects a _____% reduction (recoupment) of $_____ in your benefits. You or your household were notified before that you got more in food stamp benefits than you should have (overpayment). This recoupment is being used to pay back this overpayment. **This decision is based on 18 NYCRR 387.19.**

1c.☐ See separate Demand Letter for more overpayment information.

2. ☐ **DISCONTINUE** your food stamp benefits as of _____.

2a.☐ We are establishing a food stamp overpayment. See separate Demand Letter and Repayment Agreement about the amount you owe and how you will repay this overpayment.

2b.☐ You currently have a food stamp overpayment. See separate Demand Letter and Repayment Agreement about the amount you still owe and how you will repay this overpayment.

3. ☐ If you are getting public assistance and/or medical assistance, this change will NOT affect those benefits.

The reason for this action is:_____

_____

_____

The above decision(s) is based on 18 NYCRR _____.

☑ Responsibility To Report Changes - See enclosed LDSS-3151: "Food Stamp Change Report Form" for information on when to report changes.

☑ Although you may no longer be able to get Public Assistance, Food Stamp Benefits or Medical Assistance, you still may be able to get help with your heating costs by applying for the Home Energy Assistance Program (HEAP). You can get more information on HEAP by calling the general telephone number on the top of this notice.

BE SURE TO READ THE BACK OF THIS NOTICE FOR YOUR RIGHTS ON HOW TO APPEAL THIS DECISION.

Name:	Address:	Case Number:

☑ If you are getting food stamp benefits, you may be able to get a discount on your phone service. For information on LIFELINE, call Verizon, toll free, at 1-800-555-5000.

☑ Although you may no longer be able to get Public Assistance, Food Stamp Benefits or Medical Assistance, you still may be able to get help with your heating costs by applying for the Home Energy Assistance Program (HEAP). You can get more information on HEAP by calling the general telephone number on the front page of this notice.

CONFERENCE AND FAIR HEARING SECTION - DO YOU THINK WE ARE WRONG?

If you think our decision was wrong, you can ask for a review of our decision. We will correct our mistakes. You can do both 1 and 2:

1. Ask for a meeting (conference) with one of our supervisors; **2.** Ask for a State fair hearing with a State hearing officer.

1. CONFERENCE (Informal meeting with us)

If you think our decision was wrong or if you do not understand our decision, please call us to set up a meeting. To do this, call the conference phone number on the **front** of this notice or write to us at the address on the **front** of this notice. Sometimes this is the fastest way to solve any problem you may have. We encourage you to do this even when you have asked for a fair hearing.

If you only ask for a meeting with us, we will not keep your benefits the same while you appeal. Your benefits will stay the same only if you ask for a State fair hearing. (See Keeping your Benefits the Same)

2. STATE FAIR HEARING - You have **90** days from the date of this notice to ask for a fair hearing.

KEEPING YOUR BENEFITS THE SAME: We will not change your food stamp benefits, if you ask for a fair hearing before the effective date of this notice. However, if you lose the fair hearing, you will have to pay back any food stamp benefits you got, but should not have gotten, while you were waiting for the decision.

If you do not want your benefits to stay the same until the decision is issued, you must tell the State when you call for a fair hearing or, if you send back this notice, check the box below:

☐ I do not want to keep my food stamp benefits the same until the fair hearing decision is issued:

HOW TO ASK FOR A FAIR HEARING: You can ask for a fair hearing by :

Mail: Send a copy of the entire notice to the Office of Administrative Hearings, New York State Office of Temporary and Disability Assistance, P.O. Box 1930, Albany, New York 12201. Please keep a copy for yourself.

☐ I want a fair hearing. I do not agree with the agency's action. (You may explain why you disagree below, but you do not have to include a written explanation.)

_____

_____

_____

Phone: **(212) 417-6550** (Please have this notice with you when you call.)

Fax: Fax a copy of the front and back of this notice to: **(518) 473-6735**.

Walk-In: Bring a copy of this entire notice to the New York State Office of Temporary and Disability Assistance at 14 Boerum Place, Brooklyn; 109 East 16th Street, NYC or 330 West 34th Street, NYC.

If you cannot reach the New York State Office of Temporary and Disability Assistance by phone, fax or walk-in, please write to ask for a fair hearing before the deadline.

WHAT TO EXPECT AT A FAIR HEARING: The State will send you a notice that tells you when and where the fair hearing will be held.

At the hearing, you will have a chance to explain why you think our decision is wrong. You can bring a lawyer, a relative, a friend or someone else to help you do this. If you cannot come yourself, you can send someone to represent you. If you are sending someone who is not a lawyer to the hearing instead of you, you must give this person a letter to show the hearing officer that you want this person to represent you at the hearing.

At the hearing, you and your lawyer or other representative will have a chance to explain why we are wrong and a chance to give the hearing officer written papers that explain why we are wrong.

To help you explain at the hearing why you think we are wrong, you should bring any witnesses who can help you. You should also bring any papers you have, such as: pay stubs, leases, receipts, bills, doctor's statements.

At the hearing, you and your lawyer or other representative can ask questions of witnesses which we bring or which you bring to help your case.

LEGAL ASSISTANCE: If you think you need a lawyer to help you with this problem, you may be able to get a lawyer at no cost to you by contacting your local Legal Aid Society or other legal advocate group. For the names of other lawyers, check your Yellow Pages under "Lawyers".

ACCESS TO YOUR FILE AND COPIES OF DOCUMENTS: To help you get ready for the hearing, you have a right to look at your case file. If you call or write to us, we will provide you with free copies of the documents from your file that we will give to the hearing officer at the fair hearing. Also, if you call or write to us, we will provide you with free copies of other documents from your file that you think you may need to prepare for your fair hearing. To ask for documents or to find out how to look at your file, call us at the Record Access phone number on the **front** of this notice or write to us at the address printed at the top of the **front** of this notice.

If you want copies of documents from your case file, you should ask for them ahead of time. Usually, they will be sent to you within three working days of when you asked for them. If your hearing is within three working days of when you ask for them, your case file documents may be given to you at your hearing.

INFORMATION: If you want more information about your case, how to ask for a fair hearing, how to see your file, or how to get additional copies of documents, call us at the phone numbers on the **front** of this notice or write to us at the address on the **front** of this notice.