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Governor

NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
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Robert Doar
Commissioner

Informational Letter

Section 1

Transmittal:	05-INF-07
To:	Local District Commissioners
Issuing Division/Office:	Division of Temporary Assistance (DTA)
Date:	March 17, 2005
Subject:	State Tax Refund Offset Program (STROP): Watts v. Wing - Update on Litigation and Request for LDSS Contact Person(s)
Suggested Distribution:	Temporary Assistance Staff Resource and Recovery Staff
Contact Person(s):	Bureau of Cash Assistance at 1-800-343-8859, extension 4-9344
Attachments:	None
Attachment Available On – Line:	

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
					June 9, 1998 Memo to STROP Contacts Re. Suspension of STROP GIS 03 TA/DC004

Section 2

I. Purpose

The purpose of the release is to provide an update on the pending litigation Watts v. Wing and to request that each local social services district (LSSD) designate a contact person to coordinate anticipated review efforts and to respond to State and client inquiries on the State Tax Refund Offset Program (STROP) settlement.

II. Background

The STROP program was suspended effective May 20, 1998 due to a court injunction filed in Butler v. Wing (now Watts). Local district STROP contacts were notified of the suspension on June 9, 1998.

Debts (TA overpayments) certified to STROP in tax years 1995, 1996, or 1997 were collected from debtor refunds in 1996, 1997, or 1998.

A settlement in the case is expected in the near future. The terms would require that a settlement notice be posted in each of the LSSD public assistance district offices. In addition, individuals whose State tax refund was offset to collect against a Temporary Assistance (TA) overpayment would be offered another opportunity to request a review to determine if the offset was appropriate. OTDA would receive the request for a review and needed information from the LSSD in order to determine if the offset was appropriate. We expect the same type of review methods used in the Treasury Offset Program (TOP) settlement. In GIS 03 TA/DC004, LSSDs were asked to retain all records relevant to the debt certified to STROP in anticipation of a settlement.

Information about the specifics of the settlement will be provided at a later date.

III. Program Implications

Except for the following, there are no specific actions that LSSDs must take at this time.

DTA asks that each LSSD assign a STROP coordinator in order that OTDA may communicate important information to the appropriate person in each LSSD, and to ensure that each LSSD will be prepared to respond to client inquiries that may be made as a result of the settlement.

Please provide the STROP contact person's name, title, telephone number and e-mail address to:

Patricia.Augle@OTDA.state.ny.us

Please identify your **district name** and **STROP** in the subject line of the e-mail.

Issued By _____

Name: Russell Sykes
Title: Deputy Commissioner
Division/Office: Division of Temporary Assistance