

Summary of Previously Released Utility Repayment Agreements: Questions and Answers

1. Q. When an adult child, who resides in the same apartment as his or her parent, applies for emergency assistance, whose income is counted if both names are on the lease and utility bill? (The adult child meets the tenant of record and customer of record requirements.) Who has to sign the utility repayment agreement if the parent is the only household member with income?
 - A. All the household income is counted. As the applicant, only the adult child has to sign the utility repayment agreement. (08-INF-09 Attachment A)

Note: The same would be true for a boyfriend and girlfriend or non-legally responsible relative residing in the same household. If both are legally responsible for one another (i.e., husband and wife), then both adults would sign the repayment agreement (08-INF-09 Attachment A)
2. Q. When a district issues a utility arrearage payment and should have had the client sign a repayment agreement, should the district correct its mistake and require a repayment agreement for the past benefit?
 - A. No. (08 INF-09, Attachment A)
3. Q. May a household that received a utility shut-off payment with one household member signing a repayment agreement and subsequently defaulting on the agreement, receive another utility shut-off payment based on the signing of another repayment agreement by the other non-legally responsible relative (NLRR) household member?
 - A. Yes, if the NLRR is the customer and tenant of record for the shut-off period and agrees to sign a repayment agreement. (06-INF-21)
4. Q. Are Shelter and Utility Arrears Repayment Agreements that may be required for Emergency Temporary Assistance payments, entered into CAMS?
 - A. No, only repayment agreements for assistance groups 1 (FS) and 2 (PA) are entered into CAMS. Shelter and Utility Arrears repayment agreements are in assistance group 4 (Emergency Assistance). (05- INF- 01)
5. Q. What are the consequences if a non-legally responsible adult refuses to sign a shelter or utility repayment agreement?
 - A. The adult applicant or his/her spouse must sign the agreement or the entire household is ineligible for the emergency payment. (03-INF-25)
6. Q. If there is a NTA customer and tenant of record whose spouse is a SSI recipient, should the SSI spouse sign the "Utility Arrears Repayment Agreement"?
 - A. Yes, if the household is subject to a "Utility Arrears Repayment Agreement", the applicant and their spouse must sign the agreement". (99 INF-13)
7. Q. Should an agency get a repayment agreement for EAF for utilities?
 - A. Yes, unless the household is exempt from the repayment requirement. (See 92 ADM-26, Section IV-E Repayment of Utility Arrearage Assistance). (93 INF-11)

8. Q. Can the Utility Repayment Agreement be considered a legal document?
- A. Yes. A repayment agreement for a grant for utility arrears or shelter arrears is a legally binding contract. (93-INF-11)
9. Q. If an individual defaults on a utility arrearage repayment agreement, does the individual become ineligible for HEAP?
- A. HEAP eligibility is not tied to the repayment agreement. (93 INF-11)
10. Q. Can an individual get a fair hearing on a utility arrearage repayment agreement? If the individual comes in during this time with another emergency, could the individual enter into another agreement?
- A. Yes. However, in order to be eligible to enter into another agreement, the individual would have to be current with payments on the previous agreement regardless of fair hearing status. This is also true for shelter arrears. (93 INF-11)
11. Q. If utility payment is made under EAF, EAA or ESNA is a utility agreement required?
- A. Only EAF and ESNA are looked at for repayment of utility arrears. (93 INF-11)
12. Q. An individual enters into a shelter or utility arrearage repayment agreement and subsequently the individual files for bankruptcy. How is the repayment agreement treated?
- A. It would be treated the same as any other legally binding agreement. It would not receive priority over any other bills that the individual had incurred. This is also true for utility arrears. (93 INF-11)