



NYS OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

# 2012-13 HEAP

## PROGRAM SUMMARY

REVISED 11-19-12

**PROPOSED PROGRAM DATES**

<b>REGULAR</b>	November 19, 2012 - March 15, 2013 Early Outreach mail out began August 27, 2012
<b>EMERGENCY</b>	January 2, 2013 - March 15, 2013
<b>HEATING EQUIPMENT</b>	October 1, 2012 - March 15, 2013

- Applications for regular benefits will be accepted through March 15, 2013, even if there are insufficient federal funds to pay all applications. If OTDA determines that there are insufficient funds, districts will be provided with advance notice and given further instructions at that time.
- Since the Emergency component will not open until January 2, 2013, heating emergencies will be resolved with Regular HEAP and households with heat-related emergencies must be referred to other programs or make payment arrangements with utility companies as appropriate.
- Districts may not make any emergency benefit payment guarantees or request ten (10) day holds from utility companies before January 2, 2013.
- Closing dates for all components may be extended if there are sufficient federal funds available.

**CERTIFIERS MAY NOT ISSUE ANY GUARANTEE OF REGULAR BENEFIT PAYMENTS PRIOR TO PROGRAM OPENING ON NOVEMBER 19, 2012 AND MAY NOT ISSUE ANY GUARANTEE OF HEAT OR HEAT-RELATED EMERGENCY PAYMENTS PRIOR TO JANUARY 2, 2013. NOTICES TO RECIPIENTS AND NOTIFICATION TO VENDORS MAY NOT BE MADE BEFORE THESE DATES.**

**NOTE: A one-time exception was made for counties declared as disaster areas by the Federal Emergency Management Agency (FEMA) as a result of Superstorm Sandy.**

**PROPOSED INCOME GUIDELINES**

- The two tier income guidelines structure remains the same as in 2011-12.
- Maximum income guidelines have again been set at the higher of 60% of State median income (SMI) or 150% of the federal poverty level (FPL). Maximum guidelines for household sizes 1-10 are set at 60% SMI and guidelines for household size 11 or more are set at 150% FPL.
- Tier I guidelines are set at 130% of FPL.
- Actual income guidelines for Tier II have decreased due to adjustments in the SMI for 2012. Income guidelines for Tier I have increased due to adjustments in the FPL for 2012.

2012-13 HEAP PROGRAM SUMMARY

<b>MAXIMUM INCOME LEVELS FOR RECEIPT OF TIER I AND II HEAP BENEFITS IN 2012-13</b>					
<b>Household Size</b>	<b>Tier I Monthly Income</b>	<b>Tier II Monthly Income</b>	<b>Annual Income</b>	<b>Equivalent Poverty Levels</b>	<b>1.5 FPL</b>
1	0 - 1,210	1,211 - 2,138	\$25,653	230%	\$1,396
2	0 - 1,639	1,640 - 2,796	\$33,547	222%	\$1,891
3	0 - 2,068	2,069 - 3,453	\$41,440	217%	\$2,386
4	0 - 2,497	2,498 - 4,111	\$49,333	214%	\$2,881
5	0 - 2,926	2,927 - 4,769	\$57,227	212%	\$3,376
6	0 - 3,355	3,356 - 5,427	\$65,120	210%	\$3,871
7	0 - 3,784	3,785 - 5,550	\$66,600	191%	\$4,366
8	0 - 4,213	4,214 - 5,673	\$68,080	175%	\$4,861
9	0 - 4,642	4,643 - 5,797	\$69,560	162%	\$5,356
10	0 - 5,071	5,072 - 5,920	\$71,040	152%	\$5,851
11	0 - 5,500	5,501 - 6,346	\$73,155	150%	\$6,346
11+	429	495	\$5,940		

**CHANGE IN INCOME GUIDELINES**

<b>MAXIMUM MONTHLY INCOME</b>		
<b>2011-12</b>	<b>2012-13</b>	<b>Change</b>
2,146	2,138	(\$8)
2,806	2,796	(\$10)
3,466	3,453	(\$13)
4,127	4,111	(\$16)
4,787	4,769	(\$18)
5,447	5,427	(\$20)
5,571	5,550	(\$21)
5,695	5,673	(\$22)
5,818	5,797	(\$21)
5,942	5,920	(\$22)
6,136	6,346	\$210

## **BENEFITS**

### **PROPOSED REGULAR BENEFITS**

#### **Heating Benefits**

**Deliverable fuel benefits have been increased from the initial 2011-12 amounts.**

- Heater Benefit Amounts:
  - Oil, kerosene, propane = \$600
  - Wood, coal, other deliverable = \$500
  - Natural gas or electric = \$400
- Add ons:
  - Heater households with income in Tier I = \$25
  - Heater households with a vulnerable member = \$25

#### **Heat Included Benefits**

- Tier I = \$25
- Tier II = \$20
- \$1 – definition of eligibility for the \$1 remains the same as in 2011-12.

#### **Supplemental Benefits**

- Households who receive a heat included benefit but subsequently move within the program year and become responsible for heat may apply for a supplemental benefit equal to the difference between the heat included benefit and the applicable heater's benefit.
- The household must file a new application and meet all income and other eligibility criteria.
- A supplement is NOT given when the household received the lower heater's benefit for gas/electric but subsequently moves and has responsibility for a heating bill for a deliverable fuel type.

#### **Resolution of Emergency Situations with Regular Benefits**

- The regular benefit must be used first to resolve heating emergencies.
- The current vendor agreement for deliverable fuel vendors continues to require delivery based on the amount of the grant, even if this does not meet the company's minimum delivery amount.

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- The utility vendor agreement requires 30 days of prospective service for each grant, with exceptions for those customers already terminated or newly applying for service.
- Since the Emergency component is not scheduled to open until January 2, 2013, the heat included benefit cannot be coupled with the heat-related emergency benefit until then. Utility companies are not required to suspend termination or restore service for the heat included amount only.
- Once the Emergency benefit component opens, the heat included regular benefit and the heat-related emergency benefit are issued at the same time for eligible households who have not yet received the regular benefit and are in a heat-related emergency situation.

### EMERGENCY BENEFITS

- Heat and heat-related emergency benefits, except for the wood and coal group, have not been changed from the 2011-12 amounts.
- Heat and Heat-Related Benefit Amounts:
  - Oil, kerosene, propane = \$600
  - Wood, coal, other deliverable = **\$500**
  - Heat-related electric = \$160
  - Natural gas heat only = \$400
  - Natural gas and electric = \$560
  - Electric heat = \$560
- Temporary Relocation = \$500 per program year
- Propane Installation/Deposit = \$500 per program year
- Heating Equipment Repair = \$3,000 per program year
- Heating Equipment Replacement = the maximum amount has been increased to **\$6,500** per applicant in a ten year period.

**PROGRAM INFORMATION – REGULAR BENEFIT COMPONENT**

**Early Outreach**

Updates

- There is one application form and one application process for Early Outreach.
- All applicants must submit a full application with current information.
- Eligibility and benefit amounts are determined based on current information.

Reminders

- Early Outreach applications only require documentation of earned income or when there is reasonable doubt about declaratory statements or information contained on the application.

**Application Process for the Regular Benefit**

Applicant Definition

The regular benefit application must be signed by the individual who:

- has the heating bill in their name; or
- has primary responsibility to pay the bill to the vendor; or
- is the primary tenant if heat is included in the rent.

If an application is signed by an individual other than the required applicant, the following actions must be taken:

- The application is pended.
- The Request for Information/Documentation Requirement (LDSS 3431) form must be sent along with a copy of the submitted application and a blank copy of the signature page.
- The “other” box is checked and the following language inserted: The application must be signed by (insert name). Please sign and return the attached signature page.

Applications may be pended for a maximum total of ten (10) business days. If the signed application page is not returned by the due date, the application must be denied.

The denial reason is failure to submit required information.

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### Application Form

There is only one acceptable application for the 2012-13 program. All applicants, with the exception of districts permitting e-filing, must use the (Standard) HEAP Application (LDSS 3421), revised 5/12. The application form mailed during Early Outreach meets this requirement.

### Requirements for New Applicants

- The applicant must file a complete HEAP Application. The application may be filed directly with the Certifier, by mail or fax.
- The applicant must have an interview and may opt for an in person or phone interview.
- The applicant must provide documentation for residence, identity, income, and vendor relationship. Documentation may be provided by mail, fax or scanned copies.
- Proof of vulnerability must also be provided, if applicable.
- The applicant must provide valid Social Security Numbers (SSN) for all household members.
- Certifiers must use any permanent documentation available in the agency in order to avoid requiring duplicate information from the applicant.

### Requirements for Returning Applicants

- A returning applicant is defined as an applicant who received a regular benefit through the application process in the previous year and resides in the same county. This includes applicants who moved but only within the same county.
- These applicants may file by mail or fax.
- These applicants are not required to have an interview.
- Documentation of earned income is still required. Other documentation may be required as appropriate.
- Valid SSN is required for all household members. Applicants who failed to provide valid SSN in their previous applications are pended for this information for a maximum of ten (10) business days.
- Applicants with self-employment or rental income are now eligible for a phone interview. Districts may require an in person interview on a case by case basis.

### Phone Interview Process for Regular HEAP

#### **1. DEFINITION AND ACCESS**

##### Definition

## 2012-13 HEAP PROGRAM SUMMARY

- The phone interview process is available to all new applicants for regular HEAP benefits who were previously required to complete an in person interview. The phone interview replaces the in person interview.
- The process eliminates the requirement of an applicant to complete the standard in person HEAP interview. However, applicants must still complete an application and provide full documentation.

### Access

- This process is available to all applicants.
- Households with self-employment income and/or rental income may be required to have in person interviews at agency discretion.
- An applicant may choose not to participate in this process and may choose to complete an in person interview instead.

## **2. FORMS AND NOTICES**

- Standard HEAP Application (LDSS 3421), revised 5/12
- The same forms that are used to process a standard, in person interview are required for the phone interview process and include:
  - Request for Information/Documentation Requirement Form (LDSS 3431)
    - Any phone interview that is pended for documentation must be sent a Request for Information/Documentation Requirement form.
  - Agency Use Only section of the application.
- An ABEL budget or HBC budget must be completed. Alternate certifiers may opt to use HBC.
- Zero/Low Income Worksheet, if applicable.

## **3. PROCESS**

- Applicants submit an application by dropping it off, by mail, fax or scanned copy.
- Applications are logged in and date stamped upon receipt.
- The applicant is provided with information by the certifier as to how they can complete their interview. A locally produced letter can be used for this purpose. It is recommended that the instructions be provided with the application, if possible.
- Local procedures may either allow the applicant to call in for the interview, or may require the worker to call the applicant.



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- In districts where applicants are to call the agency to complete the interview, there must be sufficient support for the process. Applicants who call in for an interview must be able to reach a worker, or leave a message in a voice mailbox which is checked several times a day and provides instructions to applicants on what information to leave in the message. Districts without sufficient phone lines may not choose this option.
- In districts opting to have workers call the applicant, the attempted contacts, including date, time and outcome must be tracked on the back of the application.
- A minimum of two attempts is required. If the applicant cannot be reached after two attempts, the application is pended and the Request for Information/Documentation form advising the applicant to contact the agency is sent. If the applicant fails to complete the interview within the pending period (total of 10 business days) from the date of application, the application is denied.
- When a client submits an application, the following information should be supplied, as applicable, and in accordance with your district's procedure. Information includes, but is not limited to:
  - The name of their worker, or the person they will need to contact for their interview, and the phone number of that person.
  - Their phone interview appointment time and date, or the best time to call their worker.
  - Applicants can be asked to provide the district with their best phone number and time to be reached.
- Immediately prior to conducting the interview, the worker should ask the client for identifying information such as name, date of birth and last four digits of their SSN in order to verify they are speaking with the correct person. The worker must speak with the applicant unless the applicant has opted for an authorized representative.
- The format of the interview will follow the format of the application.

### 4. RESOLUTION/DOCUMENTATION

Resolution and documentation requirements outlined in the HEAP Manual must be followed for phone interviews.

### 5. PROCESSING TIME/PENDED PHONE INTERVIEWS

Filing Date and Processing Time

- **The filing date is the date that the application is received by the certifier.**
  - Certifier initiated interviews must be conducted within ten (10) business days of the **filing** date.

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- If the applicant must call in, the applicant must be given a deadline of ten (10) business days from the filing date.
- Applications with an alternate certifier completed phone interviews must be transmitted to the SSD no later than **ten (10) business** days from the **filing** date, excluding any pending time.
- A written notice of eligibility decision, either approval or denial, must be issued no later than 30 business days from the **filing** date, excluding any pending time.
- Pending time is not included in the processing time.
- Pending Time
  - A phone interview that cannot be completed on the first call or by the second attempt may be pended for a total of ten (10) business days.
  - Pending time must be noted on the application.
  - Attempted calls, with corresponding dates and times must be noted on the back of the application.
  - An applicant who has not completed their interview within the ten (10) business days must be denied.
- Applicants who need to submit additional information must be sent a Request for Information/Documentation Requirements form and pended for up to a total of ten (10) business days.

### 6. LOG REQUIREMENT

- Certifiers must log phone interview applications in the same manner as in person applications.
- At a minimum, the applicant's name and date of application must be included in the log.

### 7. ELIGIBILITY/BENEFIT CALCULATION

- Eligibility is determined in accordance with normal HEAP procedures.
- Benefits
  - Benefits are based on income and circumstances for the month of application receipt.
  - Benefits are calculated in accordance with the Benefit Calculation section of the HEAP Manual.
  - An ABEL or HBC budget must be completed for all households.

## 8. SSD RESPONSIBILITIES

- Date Stamp
  - The SSD must date stamp the application upon receipt.
- Agency Use Only Section
  - All phone calls or attempted calls to and from the client must be noted with date and time in the Agency Use Only section of the application. The date and time the interview is conducted must be noted as well.
  - It should be noted on the application how the application was submitted, and that a phone interview was preferred.
  - In cases where an applicant declines the option to have a phone interview, this should be noted on the application.
- WMS Inquiry
  - The SSD must perform WMS inquiry on all adult household members to identify and prevent duplicate payments.
  - The WMS HEAP Inquiry Screen may be used for this purpose.
- Notices
  - The SSD must issue approval/denial notices within the 30 business day processing time.
- Final Determinations
  - The SSD retains the responsibility for making all final eligibility determinations.
- See the Application Process for Regular Benefit handout.

### **NEW FOR 2012-13**

Establishment of a **filing date** for all applications. The filing date is defined for regular benefits as the date that the completed and signed application is submitted to the certification agency.

### **Regular Benefit Application Process for TA and SNAP Recipients and Applicants**

- As in 2011-12, an automatic payment process will be conducted in September. This process will identify eligible TA and SNAP recipients, calculate and authorize benefits and create an ABEL budget. See the Systems handout for additional information on this process. Benefits may not be issued or guaranteed before program opening.

## 2012-13 HEAP PROGRAM SUMMARY

- Additional autopay runs are tentatively planned for the remainder of the 2012-13 season. TA and SNAP cases that open after the initial autopay will be identified and benefits processed for eligible households.
- The first additional autopay is scheduled for early December and will include all eligible cases opened after the initial autopay.
- After the first additional autopay, daily autopay runs will be conducted to identify and process benefits for eligible households.
- The district is not required to take any action to provide applications or to process HEAP benefits for TA and SNAP cases that open after the initial autopay in September unless there is an emergency situation. In cases where the TA or SNAP recipient has a heating emergency and the regular HEAP benefit has not yet been authorized through the autopay process, the recipient must complete and sign a HEAP Application. The household is categorically eligible but must meet all other HEAP eligibility rules. Eligibility for regular HEAP must be determined and the regular benefit used to resolve the emergency. The district should authorize the payment after ensuring that a benefit has not been authorized through the autopay process.
- TA and SNAP applicants who have a heating emergency on or after program opening and whose TA or SNAP eligibility has not yet been determined must be provided with a HEAP Application. The application must be processed in accordance with regular benefit rules and the regular benefit used to resolve the heating emergency.

### Supplemental Benefits for TA and SNAP Recipients

- TA and SNAP recipients who receive a \$25 or \$1 heat included benefit through the autopay process but who actually pay for heat may be eligible to receive a supplemental benefit equal to the difference between the \$25 or \$1 benefit and the applicable heating benefit.
  - In these situations, the applicant does not need to complete a HEAP Application. The worker must verify the vendor and account number and the case record must contain notes regarding this verification. Verification of the vendor information may be provided by the recipient or through collateral contact with the vendor.
- An application is not required if the recipient received a \$1 but should have received the \$25 heat included benefit. Case notes regarding the supplement must be contained in the case record.
- If the recipient correctly received the \$25 or \$1 but subsequently moves and becomes responsible for paying for heat, the recipient must complete a HEAP Application in order to receive the supplemental benefit.
- In ALL situations where a heater's benefit is provided, the case record must contain verification of the heating expense. If the bill is not in the recipient's name, proof of direct payment must be in the case record.

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- Supplemental benefits may be issued only when the regular benefit component is open, and if funds are available.

**EMERGENCY BENEFIT COMPONENT**

**NEW FOR 2012-13**

**Establishment of a filing date** for emergency benefit applications. The filing date is defined as the date that the completed and signed application was submitted to the certification agency. In the case of emergency benefit phone requests, the filing date is the date of the first phone contact requesting HEAP emergency benefits.

**Interviews must be conducted on the filing date unless the applicant requests a different time.**

**Emergency resolution rules have been revised** to require that some action be taken, regardless of eligibility, within 18 hours of the filing date if the household is without heat, or within 48 hours if loss of heat is imminent.

- The emergency resolution action where HEAP eligibility cannot be determined within the 18 to 48 hour timeframe or the household is not HEAP eligible, can be:
  - A referral to Temporary Assistance
  - A referral to a community resource
  - That the household has or was provided with safe supplemental heat
  - That the household has access to temporary alternate housing
  - Obtain a ten (10) day on hold on a utility termination under the following guidelines:
    - Use of ten (10) holds for utility shut offs are only allowed when the shut off is imminent and eligibility cannot be determined before the shut off date due to the lack of essential information or documentation.
    - Only one (1) hold per applicant is permitted.
    - Ten day holds are not permitted in the time period before either the regular or emergency benefit component opening and may only be requested on or after the opening dates of the regular and/or emergency components.
- The emergency resolution action for those households where HEAP eligibility is determined, can be:
  - Guarantee of a benefit to the vendor and arrangements made for a delivery
  - Guarantee of a benefit to a utility company to restore service or prevent termination
  - That the household has or was provided with safe supplemental heat
  - That the household has access to temporary alternate housing
  - The eligible household was provided with HEAP funded temporary housing.

## 2012-13 HEAP PROGRAM SUMMARY

- In both situations, more than one action may be appropriate.

### Applying for Emergency Benefits

- The Phone Application process remains the same as in 2011-12. A phone interview is conducted and the Emergency Benefit Budget Worksheet is completed.
- The following applicants may apply by phone:
  - Applicants for emergency benefits who have been approved for a 2012-13 regular benefit.
  - TA and SNAP recipients when the TA or SNAP recipient is the customer of record.
  - A new application is not required for TA or SNAP recipients.
  - A new application is not required for other applicants unless the applicant:
    - Has had an increase in total gross monthly household income of more than \$200.
    - Has moved
    - Has had a change in household composition
    - Chooses to provide new information.

### Eligibility for Emergency Benefits

The regular benefit must be used to resolve the heating emergency before issuance of an emergency benefit.

### Income

Applicants must meet 2012-13 income guidelines. Households with one or more members in receipt of TA, SNAP or Code A SSI are categorically income eligible and are not income tested for HEAP.

### Residence

Applicants must be residing in the dwelling at the time of the request for emergency benefits, except that HEAP temporary absence rules may apply. Temporary absence rules are outlined in the HEAP Manual.

### Customer of Record

Applicants must meet customer of record requirements.

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### Emergency Situation

The applicant household must be in a heat or heat-related emergency situation as defined by HEAP. An emergency is defined as:

- Less than ¼ tank of oil, kerosene or propane
- Less than a ten (10) day supply of other deliverable fuel
- Gas or electric heat service that is terminated or scheduled for termination
- Heat-related electric service that is terminated or scheduled for termination
- Propane tanks have been removed and the applicant needs a new vendor
- Household needs temporary relocation.

**NOTE:** An emergency benefit is not issued if the applicant household has HEAP or other credits on the account sufficient to obtain a delivery; has pre-paid for fuel and has sufficient credit to pay for the delivery; is on a budget plan in good standing.

### Other Requirements

Applicants must also meet citizenship requirements and provide valid SSN for all household members.

### Resource Requirements

- Resource limits remain the same. Applicant households may not have more than \$2,000 in available liquid resources, or more than \$3,000 if the household includes a member age 60 or older.
- The HEAP Manual contains a list of both countable and excluded resources.
- If the customer of record is an active TA recipient, the household is considered to have been resource tested and to meet the HEAP resource requirements. NO further resource test is applied.

### New Policy

- **If the customer of record is not an active TA recipient, but the household contains TA recipients and is categorically eligible, the household is resource tested under HEAP guidelines and must meet HEAP resource guidelines in order to be eligible.**
- SNAP and Code A SSI recipients must be resource tested under HEAP rules.
- Resource exemptions include the deduction of any penalties or costs incurred to obtain funds from IRAs, stocks, bonds, or other types of countable resources.
- Resource exemptions also include cash value of life insurance.



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- Allowable exemptions for monthly living expenses only include essential expenses. Exemptions are allowed for shelter (includes rent/mortgage, homeowner's insurance, mandated fees, water/sewer, trash removal, taxes), out of pocket medical expenses, food, employment related transportation, child care, court ordered payments, and the cost of one phone. Other essential living costs may be allowed on a case by case basis.
- **Complete instructions on processing emergency benefits will be provided prior to the opening of the Emergency benefit component.**

**REGULAR AND EMERGENCY BENEFIT COMPONENT SUMMARY  
OF CHANGES AND REMINDERS**

- Forms have changed. Please review the forms packet for current forms.
- Proposed Program Dates:
  - Regular: November 19, 2012 - March 15, 2013
  - Emergency: January 2, 2013 - March 15, 2013
  - Heating Equipment Repair and Replacement: October 1, 2012 – March 15, 2013
- Alternate certifiers now have 15 business days to route completed application to the SSD prior to program opening and 10 business days after program opening.
- Districts may share information and make referrals to utility company low income programs due to additional language in the consent section of the application. A referral process to EmPower will also be initiated.
- Early Outreach began on August 27, 2012. Applications may be pended up to program opening. The Early Outreach handout provides additional information.
- Income guidelines have been set at the 60% of SMI for household sizes 1-10 and at 150% of the OMB poverty level for household 11 and above. Actual Tier II guidelines have decreased due to a reduction in State median income.
- Regular benefit levels for heaters have increased from initial 2011-12 benefits. Add ons for heaters remain \$25. Heat included benefits remain at \$1, \$20, and \$25.
- Currently there will be one regular and one emergency benefit per type.
- New applicants must provide full documentation. Returning applicants must provide proof of earned income. All applicants for regular benefits may file by mail and opt for a phone interview, including applicants with self-employment or rental income.
- A second auto pay process will be conducted in December and daily autopays will be conducted after that to provide regular benefits to those TA and SNAP cases that open after the initial auto pay. Applications may not be provided to new TA and SNAP applicants prior to program opening.
- Use of ten (10) day holds has been clarified.
- The income deeming process for emergencies remains the same. Applicants with increases in gross monthly household income of more than \$200, or changes in address or household composition do not qualify for income deeming. A full application with documentation is required for applicants who do not qualify for income deeming for any reason. Applicants may also opt to complete a new application and provide new information.

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- There is no additional resource test for applicants for heat or heat-related emergency benefits when the TA recipient is the customer of record.
- The HEAP resource guidelines are applied when the customer of record is not the TA recipient even if there are TA household members and the household is categorically income eligible.
- Resource exemptions include the cost of obtaining funds from IRAs, stocks, bonds, etc. and the value of life insurance policies.
- Allowable exemptions for monthly living expenses have been clarified.
- Changes to the Heating Equipment Repair and Replacement component are outlined in the Heating Equipment Repair and Replacement Changes handout.