



Local Commissioners Memorandum

Section 1

Transmittal:	24-LCM-14
To:	Social Services District Commissioners
Issuing Division/Office:	Employment and Income Support Programs
Date:	October 23, 2024
Subject:	Revisions to the LDSS - 4594, LDSS - 4594 NYC, LDSS - 4595, LDSS - 4595 NYC, LDSS - 5058, LDSS – 5091 and Obsolesion of LDSS – 5041
Contact Person(s):	Temporary Assistance Bureau at: (518) 474-9344 or tabureau@otda.ny.gov

Section 2

I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to inform social services districts (“districts”) of recent revisions to the following documents:

- [LDSS – 4594: “Notification of Decision on a Waiver to Allow a Temporary Delay in Public Assistance Requirement\(s\) \(Adequate Only\)”](#)
- [LDSS – 4594 NYC: “Notification of Decision on a Waiver to Allow a Temporary Delay in Temporary Assistance Requirement\(s\) \(Adequate Only\)”](#)
- [LDSS – 4595: “Notification of Decision on a Continuation of Waiver to Allow a Temporary Delay in Temporary Assistance Requirement\(s\) \(Timely and Adequate\)”](#)
- [LDSS – 4595 NYC: “Notification of Decision on a Continuation of Waiver to Allow a Temporary Delay in Temporary Assistance Requirements \(Timely and Adequate\)”](#)
- [LDSS – 5058: “Emergency Safety Net Assistance Shelter Arrears Repayment Agreement - \(Part 1 Eligibility Worksheet and Part 2 Agreement\)”](#)
- [LDSS – 5091: “Lump Sum Worksheet”](#)
- LDSS – 5041: “Lien Acknowledgement” is now obsolete.

II. Background

In accordance with Administrative Directive [22- ADM-11](#), effective April 1, 2022, the SFY 2022-23 NYS Budget repealed Section § 106 of the Social Services Law (SSL): “Powers of Social Services Officials to Receive and Dispose of a Deed, Mortgage, or Lien,” relating to mortgage repayment for

liens for Public Assistance (PA) beneficiaries. The repeal impacted a district's ability to accept a real property and/or mortgage lien as a condition of eligibility for PA, as well as a district's ability to collect on previously filed real property and/or mortgage liens. The LDSS lien forms are now obsolete and lien requirements have been removed from all relevant LDSS forms provided in Section III below.

Additionally, Effective October 1, 2022, SSL § 131-a, SSL § 131-n, SSL § 153, and SSL § 158 were amended to increase the resource limit to \$10,000 for all PA recipient households and the Lump Sum Worksheet has been updated accordingly.

III. Program Implications

To ensure consistency with Administrative Directive [22-ADM-11](#), legislative changes, and programmatic updates, the following changes have been made to LDSS - 4594: "Notification of Decision on a Waiver to Allow a Temporary Delay in Temporary Assistance Requirement(s) (Adequate Only)", LDSS - 4594 NYC: "Notification of Decision on a Waiver to Allow a Temporary Delay in Temporary Assistance Requirement(s) (Adequate Only)", LDSS - 4595: "Notification of Decision on a Continuation of Waiver to Allow a Temporary Delay in Temporary Assistance Requirement(s) (Timely and Adequate)", LDSS - 4595 NYC: "Notification of Decision on a Continuation of Waiver to Allow a Temporary Delay in Temporary Assistance Requirements (Timely and Adequate)", LDSS - 5058: "Emergency Safety Net Assistance Shelter Arrears Repayment Agreement - (Part 1 Eligibility Worksheet and Part 2 Agreement)", and LDSS - 5051: "Lump Sum Worksheet":

- "Property Lien" has been removed under the "Waiver Approved" and "Waiver Denied" sections of LDSS - 4594: "Notification of Decision on a Waiver to Allow a Temporary Delay in Public Assistance Requirement(s) (Adequate Only)";
- "Property Lien" has been removed under the "Waiver Approved" and "Waiver Denied" sections of LDSS - 4594 NYC: "Notification of Decision on a Waiver to Allow a Temporary Delay in Public Assistance Requirement(s) (Adequate Only)";
- "Property Lien" has been removed under the "Waiver Approved" and "Waiver Denied" sections of LDSS - 4595: "Notification of Decision on a Continuation of Waiver to Allow a Temporary Delay in Temporary Assistance Requirement(s) (Timely and Adequate)";
- "Property Lien" has been removed under the "Waiver Approved" and "Waiver Denied" sections of LDSS - 4595 NYC: "Notification of Decision on a Continuation of Waiver to Allow a Temporary Delay in Public Assistance Requirement(s) (Timely and Adequate)";
- Under "Part 2. REPAYMENT AGREEMENT" of LDSS - 5058: "Emergency Safety Net Assistance Shelter Arrears Repayment Agreement – (Part 1 Eligibility Worksheet and Part 2 Agreement)" the language "obtaining a lien on real property" and "I understand that the Department of Social Services also has the right to require that I sign a lien on my real property for receiving a shelter arrears payment authorized under the Emergency Safety Net Assistance program. If a lien is taken, that part of the lien representing this arrears payment will be considered satisfied when the arrears payments have been repaid in full" have been removed;
- Under "STEP II. DETERMINING RESOURCE "SET-ASIDE" of LDSS 5091: "Lump Sum Worksheet" the word "recipient" has been added to the sentence "Resource Limit for the household"; and "\$10,000 regardless of age" has replaced "\$2,000 (or \$3,000 for member age 60 or over)"; and
- LDSS 5041: "Lien Acknowledgement" is now obsolete and no longer posted on the OTDA LDSS forms intranet website.

IV. Forms Ordering Information

- The revised English versions of the above-mentioned forms are Web Only forms. Access these forms on the OTDA Intranet website at: http://otda.state.nyenet/ldss_eforms/default.htm. The above referenced documents are available for downloading by local districts for reproduction locally.
- Upon the release of this LCM all previous versions, including other than English languages (if any) **must immediately be destroyed** and replaced with the current version.
- These documents are Web posted only forms; therefore, they are only available online and not available in hard copy from the New York State Office of Temporary and Disability Assistance (OTDA).
- Questions concerning Web posted only forms should be directed to BMS Document Services at (518) 474-9522.
- Any previously approved Local Equivalent of these forms should be resubmitted, reflecting the current updates, to the mailing address below for review and approval.

Otda.sm.Local.Equivalent.Requests@otda.ny.gov

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Division/Office: Employment and Income Support Programs/Office of Temporary and Disability Assistance