



**NOTICE OF INTENT TO CHANGE FOOD STAMPS
OCTOBER '08/UPSTATE**

Case Number:

Loc. Off./Unit/Worker:

General Telephone No. for
Questions or Help:

Dear Food Stamp Recipient:

There will be changes to some items used to figure the amount of food stamps a household gets. These changes are due to changes in Federal law and changes in New York State policies.

The standard of Maximum Food Stamp Benefits (known as the Thrifty Food Plan or "TFP") has increased. These changes **may increase** the amount of food stamps you get. The changes will take place beginning with your October 2008 Food Stamp benefits.

Look at Chart # 1 below. The dollar amount shown under your household size is the largest increase you could get in your monthly food stamps based on the Maximum Food Stamp Benefit change only. For example, if you are a food stamp household of two, your monthly food stamp benefits, beginning in October, could increase by as much as \$25.00. The actual increase will depend on your circumstances.

CHART # 1										
HOUSEHOLD SIZE	1	2	3	4	5	6	7	8	9	10
Maximum Amount of Food Stamp Increase	\$14	\$25	\$37	\$46	\$55	\$66	\$73	\$83	\$93	\$103

The Standard Deduction has increased to \$144 for households with 1-3 persons and has increased to \$147 for households of four persons, to \$172 for households of five persons and to \$197 for households of six or more persons. The Food Stamp Maximum Excess Shelter Deduction is increasing to \$446.

The Standard Utility Allowance (SUA) amount has not changed. However, many households that live in subsidized housing with heat included in the rent will be eligible, this year, to receive a \$1.00 HEAP benefit which will qualify the household for the full SUA. These changes **may increase** the amount of food stamps you get. The changes will take place beginning with your October 2008 Food Stamp benefits. A typical household of three earning \$600.00 a month and living in subsidized housing with heat included in the rent would receive an additional \$91.00 in monthly food stamp benefits.

Many households that live in certain Congregate Care and other Group Home situations also will be eligible to receive a \$1.00 HEAP benefit which will qualify the household to have the full SUA applied. These changes **may increase** the amount of food stamps you get. The changes will take place beginning with your October 2008 Food Stamp benefits. For example, a one-person household in this housing situation could receive an additional \$76.00 in monthly food stamp benefits. The actual increase will depend on your circumstances.

The limits on the dependent care and child care deductions have been removed. Households will now be allowed to have the actual out of pocket dependent and child care costs applied to the Food Stamp budget. These changes **may increase** the amount of food stamps you get. The changes will take place beginning with your October 2008 Food Stamp benefits.

The Regulations which allow us to do this are 18 NYCRR 387.10, 387.12, 387.15 and 387.16.

Reporting Rules for Households that are Six-Month Reporters

Look at Chart # 2 below: The dollar amount shown under your household size shows the 130% income limit for your household, beginning October 1, 2008. **If your household's total gross monthly income is greater than this amount, you must report this monthly amount to your social services district by phone, in writing, or in person within 10 days after the end of the calendar month.** Your gross income is the amount of income before taxes and other deductions are taken out, not the amount you receive when you receive your check. Your total gross monthly income includes all income any member of your household receives during the calendar month.

CHART # 2										
HOUSEHOLD SIZE	1	2	3	4	5	6	7	8	9	10
Report Household Gross Income over 130% Income Limit	\$1127	\$1517	\$1907	\$2297	\$2687	\$3077	\$3467	\$3857	\$4247	\$4637

YOU HAVE THE RIGHT TO APPEAL THIS DECISION. READ BELOW ON HOW TO APPEAL THIS DECISION.

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. 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.
2. **STATE FAIR HEARING** – YOU HAVE 90 DAYS FROM THE DATE YOUR OCTOBER 2008 FOOD STAMP BENEFITS BECOME AVAILABLE TO ASK FOR A FAIR HEARING.

THE DATE YOUR OCTOBER FOOD STAMP BENEFITS BECOME AVAILABLE IS THE DATE YOU CAN ACCESS YOUR OCTOBER FOOD STAMP BENEFITS WITH YOUR PLASTIC ID CARD.

HOW TO ASK FOR A FAIR HEARING: You can ask for a fair hearing by **mail**, by **phone**, by **fax** or **online**.

Mail: Send a copy of this notice completed 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.)
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Phone: 800-342-3334 (PLEASE HAVE THIS NOTICE WITH YOU WHEN YOU CALL.)

Fax: Fax a copy of the front and reverse of this notice to: (518) 473-6735 or

Online: Complete an online request form at: <http://www.otda.state.ny.us/oah/forms.asp>.

If you cannot reach the New York State Office of Temporary and Disability Assistance by phone, by fax or online, 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 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 on the **front** of this notice.

If you want copies of documents from your case file, you should ask for them ahead of time. They will be provided to you within a reasonable time before the date of the hearing. Documents will be mailed to you only if you specifically ask that they be mailed.

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.