

NYS OTDA – STEWART OPT-IN **SECOND** NOTICE
 [Insert District Return Address Here]

STEWART OPT-IN SECOND NOTICE

Notice Date:

Case Number:
 Individual's CIN:

IMPORTANT NOTICE ABOUT PUBLIC ASSISTANCE FROM THE STATE OF NEW YORK

You are receiving this notice because you may be a class member in a lawsuit called *Stewart v. Roberts* and may be entitled to a corrective payment. The Court in *Stewart* decided that when the Department of Social Services (district) determines a person's Public Assistance (PA) eligibility, the district must consider whether the person has any vehicle loans or encumbrances when they establish the value of the vehicle. If you were denied PA or had your benefits discontinued because of the value of your vehicle, please continue reading to learn the steps you should take to find out if you may be eligible for a payment.

District records show that between July 20, 2015 and May 10, 2020, you and/or someone in your household were denied PA or had PA benefits discontinued because of a resource with a value over the PA resource limits. State level records do not show what kind of resource caused your PA to be denied or discontinued. A resource is, for example, a bank account, retirement fund or vehicle. **If you think your household's vehicle was the reason you could not get PA or your PA was discontinued during that time period, you are entitled to an interview at the district to find out if you may be able to receive a payment.**

Please call _____ to request an interview to see if you may be able to receive a payment. The district must schedule your interview within 30 days from the date you call. If you no longer reside in the district that issued the denial or discontinuance, you have the right to request that the interview take place in the district in which you currently reside. If you are not able to attend the appointment at the time chosen by the district, you may request that the appointment be rescheduled. In order to reschedule the appointment, please call the phone number above or email _____. Additionally, you may also reschedule the appointment in person at the district. If you do not remember the reason why you were denied or your benefits were discontinued, or you do not have the documents any longer, you should still request an interview and tell the district worker this. There is no penalty for calling to request the interview if you are unsure. You may be able to have the interview over the telephone, without going to the district in person.

During the interview or shortly afterward, the district may ask you to provide documents about the vehicle you owned, your vehicle loan, and other documents related to PA eligibility. They must help you obtain these documents if you tell them you are unable to get them. After reviewing the information, the district will provide you with a written notice letting you know whether or not you are a class member. If you are a class member, you may be eligible for a corrected payment of PA benefits.

If you have questions, contact the attorneys at Empire Justice Center who brought this lawsuit by emailing carloan@empirejustice.org or calling (585) 295-5837.

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