



General Information System (GIS) Message

Section 1

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To:	Subscribers
Suggested Distribution:	Commissioners, Deputy Commissioners, TA Directors, SNAP Directors, Employment Coordinators, WMS Coordinators, HEAP Coordinators
From:	Valerie Figueroa, Deputy Commissioner Employment and Income Support Programs
Subject:	New York State Domestic Violence SAFE Fund Program Payments
Effective Date:	Immediately
Contact Information:	TA Questions - TA Bureau: (518) 474-9344 or tabureau@otda.ny.gov SNAP Questions - SNAP Bureau: (518) 473-1469 or SNAPbureau@otda.ny.gov HEAP - HEAP Bureau: (518) 473-0332 or NYSHEAP@otda.ny.gov
Attachments:	None

Section 2

The purpose of this General Information Systems (GIS) Message is to provide guidance to Social Services Districts (districts) regarding the treatment of Survivor’s Access Financial Empowerment (SAFE) (previously known as Flexible Funding Program) payments to domestic violence (DV) victims and survivors, made available through the New York State (NYS) Office for the Prevention of Domestic Violence (OPDV) as outlined below.

Section 3

In the New York State Fiscal Year 2024 budget, approximately \$5,000,000 was made available for the SAFE Fund, which provides services, expenses and grants to government entities and not-for-profits to provide financial assistance to victims and survivors of domestic violence pursuant to a plan to be prepared by OPDV and approved by the Director of the Budget. Organizations awarded the SAFE Funds will use this funding to provide direct financial assistance to support the needs of victims and survivors of domestic violence. SAFE fund

payments to eligible DV victims and survivors may be made through differing methods, including, but not limited to, direct payments to survivors or payments to third parties.

Temporary Assistance (TA) Implications:

In accordance with 18 NYCRR §352.16, SAFE Fund payments that are intended for a specific purpose and made to TA applicants or recipients, or to a third-party on behalf of eligible DV survivors, must be excluded as income and disregarded as a resource for the purposes of determining TA eligibility for both emergency and ongoing TA. This includes Family Assistance (FA), Safety Net Assistance (SNA), Emergency Assistance to Needy Families with Children (EAF), Emergency Safety Net Assistance (ESNA), and Emergency Assistance for Adults (EAA).

DV survivors who are applying for or in receipt of TA may have their benefits impacted by receipt of SAFE Fund payments if the payments are not earmarked for a specific use. SAFE Fund payments that are not earmarked for a specific purpose must be considered as income and is income for the month it was received. SAFE Fund payments made to a recipient of TA are only treated as a lump sum payment and considered a resource for TA if the amount of the payment plus other monthly income is equal to or greater than the TA standard of need. If the total income is less than the standard of need, then the SAFE fund payment is not considered a lump sum and is income for the month it was received.

There are two exceptions, however, that may impact a DV survivor's TA budget because they are for items that are part of a recipient's standard of need: a payment to a landlord could impact a survivor's TA shelter allowance, and a payment for a current heating bill could impact their TA heating allowance. Such payments must either be considered against the standard allowance for the item of need or be treated as lump sums. These payments can only be treated as a lump sum if the amount of the payment plus other monthly income is equal to or greater than the standard of need. If the total income is less than the standard of need, then the non-recurring income is not a lump sum and must be counted as income in the month it is received. The income will not be considered a resource for recurring TA. However, any amount remaining would be considered an available resource for emergency assistance.

Other allowable uses, such as transportation, furniture, clothes, education, utility arrears, and rental arrears, will not impact a DV survivor's TA benefit as long as they are earmarked for the specific purpose for which the payments were issued.

A note should be made in the case record regarding the individual's receipt of these payments.

If these payments are received retroactively, they are excluded as income and resources and are, therefore, not subject to the lump sum provisions for TA recipients.

Supplemental Nutrition Assistance Program (SNAP) Implications:

As permitted under 7 CFR § 273.9, for the purpose of determining eligibility and the calculation of SNAP benefits, any funds received under the SAFE Fund should be excluded as income. Unless otherwise exempt, any such payments received under this program would be considered countable resources in the month received and in subsequent months as long as they remain liquid and readily available to the household (such as cash on hand, amounts in any account in a financial institution that are readily available to the household including money in checking or savings accounts, savings certificates, stocks, or bonds). A one-time third-party SAFE Fund payment should not count as unearned income for SNAP. Recurrent third-party

payments to landlords or utility vendors may impact the survivor's total budgeted shelter expense and/or the Standard Utility Allowance (SUA) for the household.

Home Energy Assistance Program (HEAP) Implications:

The payment(s) provided to individuals under the SAFE Funding Program that are earmarked for a specific purpose will be excluded as countable income for HEAP eligibility determinations and must not be counted in the HEAP budget. SAFE Fund payment(s) received under this program will be excluded from the HEAP household's income when determining eligibility for Regular HEAP, Emergency, Heating Equipment Repair and Replacement (HERR), Heating Equipment Clean and Tune (C&T), and Cooling Assistance benefits. Unless otherwise exempt, payment(s) received under these programs can be counted as resources for the Emergency and HERR benefit components.