



Public Assistance

Public Benefits Resource Center

A program of
The Community Service Society

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Part of CSS, the Public Benefits Resource Center (PBRC) is a single source for social service providers for information, training, and expert case assistance on the full range of government benefit programs. The Center provides training on government benefits, telephone consultations to service providers, direct assistance to the general public and publications, including the *PBRC Manual*, a comprehensive guide to government benefit programs.

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Public Assistance

PUBLIC BENEFITS RESOURCE CENTER

A PROGRAM OF THE COMMUNITY SERVICE SOCIETY

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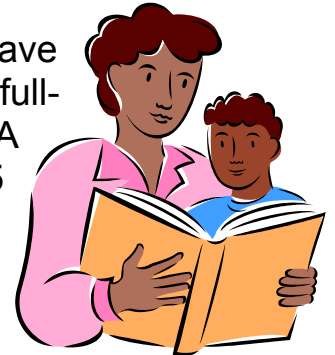
Public Assistance

What is Public Assistance?

Public Assistance (PA), or welfare, is a benefit to help poor people pay for their most basic costs of living (like rent, clothes and transportation). The Human Resource Administration (HRA) is the agency responsible to administer PA in NYC. There are now three types of public assistance in New York: Family Assistance, Safety Net Assistance-cash, and Safety Net Assistance-non-cash.

What is Family Assistance?

Family Assistance (FA) is mainly for households that have children under 18 years (or under 19 if still in high school full-time), living with a relative who is taking care of him or her. FA is a cash benefit that a household can receive for a total of 5 years. FA replaced the old Aid to Families with Dependent Children (AFDC). While AFDC was eliminated several years ago, HRA still refers to the program as AFDC instead of FA.



What is Safety Net Assistance-cash?

Safety Net Assistance-cash (SNA-cash) is mainly for single adults or couples without children. This is a cash benefit that a household can receive for no more than 2 years. SNA-cash replaced the old Home Relief (HR) program. While HR was eliminated three years ago, HRA still refers to the program as HR instead of SNA-cash.

What is Safety Net Assistance-non-cash?

Safety Net Assistance-non-cash (SNA-non-cash) is the benefit for families that use up their 5 years of FA, or households without children that use up their 2 years of SNA-cash. If these households are still in need, they can transfer to SNA-non-cash, after completing a reassessment interview and, for some people, a two-page application, which is called the *SNA Application Supplement*. NYS requires all able-bodied adults that become ineligible for Family Assistance (FA) because of the 60-month time limit to file an application for Safety Net Assistance (SNA), if they want to continue to receive PA benefits. (An able-bodied individual is one who is not exempt from participating in work activities.) The reassessment interview and reapplication should both take place before the 60 months is up, and there should be no gap in coverage.

Here is how SNA-non-cash will be provided:

- Rent will be paid directly to the landlord.
- Utility bills will be paid directly to the company
- The rest of the grant will be given in the form of a plastic benefit card. The amount of money that is left after the rent and utility bills are paid will be encoded in the card.

Are there any time limits with SNA-non-cash?

SNA-non-cash does not have a time limit, and should be available as long as the household is in need.

What if I am told by my caseworker at the center that the “welfare time clock is ticking”?

Because SNA-non-cash benefit does not have a time limit, no one should be told “his or her welfare time clock is ticking.” If you reach one of the time limits described above, the form of the benefit may change but the total dollar amount will stay the same, if nothing else has changed in your household.

If I move to another state, will I be eligible for Public Assistance?

As described above there is a 5-year time limit for FA families. This is a federal rule and when you have reached 5 years in one state, you have reached your 5-year time limit in all states. If you have met your time limit in NYS and move to another state you may not be eligible for any PA in that state. Each state has its own rules about giving benefits to families who have already received benefits for 5 years.

How Much Does PA Pay?

The amount of the PA benefit depends on many things, such as how many people are in your home, whether there are children under 18 or not, the amount of rent you pay, and whether there is other income in your household. Generally, PA has two main parts, the Basic Allowance (sometimes called Food & Other) and the Shelter or Rent Allowance.

The shelter allowance for households with children increased November 2003, so the total grant amount increased. The shelter allowances did not increase for households *without* children under 18. The two charts below include the maximum amount a household can receive each month.

Monthly Public Assistance Grant Amounts for Households <u>With</u> Children Under 18			
Number of People	Basic Allowance	Rent Maximum	Total Grant
1	\$137.10	\$277	\$414.10
2	\$218.50	\$283	\$501.50
3	\$291	\$400	\$691.00
4	\$375.70	\$450	\$825.70
5	\$463.70	\$501	\$964.70

Monthly Public Assistance Grant Amounts for Households <u>Without</u> Children Under 18			
Number of People	Basic Allowance	Rent Maximum	Total Grant
1	\$137.10	\$215	\$352.10
2	\$218.50	\$250	\$468.00
3	\$291	\$286	\$577.00
4	\$375.70	\$312	\$687.70
5	\$463.70	\$337	\$800.70

Are there times when I can get more grant money than what is listed in the chart?

You can receive additional allowances if you are pregnant, or if you are buying food at a restaurant because you don't have a stove in your home, or if you need to replace clothes that were lost in a fire or other disaster.

What if my rent is less than what is listed in the chart?

If you have rent that is less than what is listed in the chart you will only receive the amount of your actual rent. For example, if there are 2 people in your household (no one is under 18) and your rent is actually \$225, PA will pay you \$225 for your rent. You will still get \$218.50 for your basic allowance. Thus, your total grant will be \$443 and not \$468.

What if my rent is more than what is listed in the chart?

If my rent is more than what is listed in the chart, the amounts listed here are the most that PA will pay.

Are there any exceptions?

Yes, there is an exception. Some families receive extra rent money through *Jiggetts* assistance.

What is Jiggetts assistance?



Jiggetts is a court case that allows a family with children that has rent arrears and has been brought to court by their landlord for not paying the rent to request additional shelter allowance. Applicants must apply through a qualified organization. To locate an organization call the Legal Aid Society at (212) 577-3300.

How Do I Get My Public Assistance Grant?

You can usually get your grant through the system called Electronic Benefit Transfer (EBT). Under this system, you will receive a plastic benefit card with the amount of your cash grant encoded into that card. You can use this card at various places around the city to get your cash grant. Some of these places charge a fee; but there should be a place not too far from your home that will provide the cash without charging a fee. These ATM's will have a QUEST logo with a "\$" sign. You can get up to four free withdrawals every month at these ATM's. After that you will be charged 85 cents every time you get cash. To find free EBT locations call **(800) 289-6739**



What about my food stamps and Medicaid?

The household's food stamps will also be encoded in this benefit card as well as your Medicaid. The other members of your household will each receive their own Medicaid card, but only the head of household will have all three benefits on their card.

How will I use this card?

You will receive a personal identification number (PIN) that you must enter in the ATM machine to get your cash. You must also enter your PIN into the machine at the cash register to purchase your food at a food market. Stores where you can use your food stamps have a QUEST logo with a food bag.



What if I am having problems with EBT?

If you have lost or damaged your card, or it was stolen or want to know how much cash is left on your card you should call the customer service helpline at (888) 328-6399.

If you have any other questions about how to use your EBT card see the EBT brochure at:

www.otda.state.ny.us/otda/apps/default.htm#access

Who Can Get Public Assistance?

You can get Public Assistance if you or family members pass certain eligibility tests, called eligibility criteria. These criteria are explained below.

How Much Income Can I Have?

You must have limited income. Income is a recurring payment from any source such as salary, Social Security, a pension, unemployment insurance, disability benefits, bank interest or any other sources of income.



What happens if I am over the income limits?

If you are over the income limits you are likely to be ineligible for Public Assistance.

What are the income limits?

Welfare income rules are complicated. Your eligibility for PA depends on how many people are in your home, and whether the income is from a job or from another source. If you are not sure if you are eligible, it is probably a good idea to file an application.

To figure out if you are eligible, PA will subtract certain deductions such as work deductions, foster care or adoption subsidies, or other deductions to figure out your net monthly income. The PA worker will compare these amounts to the total grant amounts listed on the charts on page 3. If your income is below these amounts you will likely be eligible for a grant. If your income is above these amounts you will likely be ineligible for a grant.

How Many Resources Can I Own?

You must have limited resources. Resources are assets or possessions that you own or have partial interest in. Some examples of resources include a home, an automobile, life insurance policies, savings or checking accounts, CD's, or IRA's. This is not a complete list.

What are the maximum amounts of resources I can own?

The resource rule is that a household is allowed to have no more than \$2000 in resources or no more than \$3000 if someone in the household is older than 60 years.



What kind of resources does PA count?

- Any property that you own, if you are not living in it as your primary residence
- Funds in bank accounts, stock accounts, bonds or other financial instruments which can be readily turned into cash and which are more than the amounts listed

- All the money in a joint bank account, unless you are able to show that it belongs to someone else
- Jewelry or other goods that have resale value.

Are there resources that PA does not count?

There are some types of resources that PA does not count when they determine your eligibility. This is not a complete list, but will give you an idea of what does not count under the rules.

- the home you own as long as you live in it, it can be a house, a condo, or a coop, but PA will make you sign a “lien”
- personal and household goods: furniture, kitchen utensils, clothing, television, stereo and other household equipment and furnishings
- a wedding or engagement ring
- family burial plot for each member of the household
- a car worth up to \$4650, if it is used for work activities (such as a job, looking for a job or job training), then it can have a value up to \$9300
- tools or other equipment used for work.



What is a lien?

This means that if the house is sold, HRA will be able to take some of the money from the sale to pay itself back for the benefits they gave you.

Do I Have To Be A Certain Age, or Be Disabled, or Have Children To Get Public Assistance?

PA is supposed to help people in need no matter how old you are, whether or not you are disabled, and whether or not you have children. There are different public assistance programs for people in different situations, but that is for the PA worker to figure out.

Keep in mind the following:

- Welfare cannot be provided directly to a person who is younger than 16 years. But it can be provided to anyone older than 16 years who is eligible.
- Also, if it seems that you might be eligible for other benefits beside welfare, HRA can make you apply for those other benefits.

For example, if you are disabled HRA may ask that you apply for SSI, if you just lost your job they may ask that you apply for Unemployment Insurance. But while you are applying for those other benefits, HRA must continue to process the welfare application.

Where Must I Live?

To get public assistance in New York City you must be living in the city. You must provide information about where you are living, especially if you want HRA to help with the rent. But, if you are homeless or do not have a steady place to stay, that is not a legal reason to reject your application. In that case, you should, if possible, provide some address so that you can receive mail.



Must I Be A U.S. Citizen?

No, you can be an immigrant and still get PA.

Are all immigrants eligible for PA?

No, with the passage of the welfare reform law in 1996, only certain kinds of immigrants are eligible for PA. The rules differ slightly for Family Assistance and Safety Net Assistance. To understand which immigrants are eligible, you must know what a Qualified Alien is.

Welfare Reform Act 1996

What is a Qualified Alien?

The same welfare law which changed immigrants' eligibility for PA, also defines certain immigrants as qualified aliens. Such immigrants include legal permanent residents, refugees, political asylees, those who have withholding of deportation, parolees who have been admitted to the U.S. for at least one year, those who were granted conditional entrant, Cuban/Haitian entrants, and Amerasians, and certain battered immigrants and their children who are in the process of obtaining a green card, under a special provision called the "Violence Against Women Act". If you are not in one of these immigration statuses you probably are not eligible to receive PA. However, you may want to check with an agency to make sure.

So which immigrants are eligible for PA?

Those who are eligible include:

Family Assistance

- U.S. citizens
- Qualified aliens who entered the U.S. before 8/22/96
- Qualified aliens who entered the country on or after 8/22/96 are ineligible for benefits for 5 years, with the following exceptions:
 - Refugees and asylees
 - Immigrants who have had their deportation withheld, and
 - A qualified alien who is on active duty in the U.S. armed forces, or honorably discharged veterans, their spouses, widows and dependent children.

Safety Net Assistance

- U.S. citizens
- Qualified aliens regardless of their date of entry
- Non-qualified aliens who are here legally and permanently with permission from INS.

Individuals without a legal status (undocumented) or those with temporary status such as a tourist or here on a student visa do not meet the citizenship criteria.

What if I am undocumented, but my child was born here?

People who are undocumented immigrants are not eligible for PA. But if you have children who were born in this country, then your children are U.S. citizens and are eligible for PA.

What should I do at the center when I apply for my children?

Many people have been afraid to apply for their children, but the government policy is clear: A person should be permitted to apply for his or her children. You should write on the application "Due to my immigration

status, I am not applying for benefits for myself.” You will still, however, need to provide information about your income and resources.

Will PA report me to the INS if I do this?

No. PA will not report you to the INS.

Must I Have A Job?

You do not need to have a job to get PA. But when you begin to get your benefits, you will probably be assigned to work activities by the agency.

See the brochure on Public Assistance Work Rules

What if I have a job already?

If you are working when you apply, your income will be counted in figuring out how much your PA benefits will be.

How Do I Apply?

There are welfare centers throughout the City. They are called Job Centers. Usually, people will apply at the welfare center that is nearest to their home. Call the HRA Information line at **(877) 472-8411** for the closest welfare office.

What happens during the application process?

When you first go to the center, two things should happen:

- You should be given an application form and an appointment to return within a few days. The application is pretty long and complicated. You should fill it out the best you can, and when you return the worker should help you complete it.
- The worker should ask if you have any immediate needs. You may be eligible for:
 - an immediate needs grant, which is a small amount of cash if you have no money at all. This grant can be provided the same day you go to the center, or

- expedited food stamps can be provided on the same day, or
- emergency assistance to help with an immediate emergency such as a dispossess or eviction notice or if you are in danger of having your electricity or gas shut off.

What will I have to do during the application process?

Many things can happen during the application process. Here are some of them:

- *BEV* - you will have to go to an office in Brooklyn for an appointment with the Bureau of Eligibility Verification (BEV). You will be asked questions about your eligibility for benefits.
 - ⇒ *Home Visit* – someone from HRA will visit you at your home, to make sure you really live there. You have to try to be at home when they come, or call them to make a new appointment if you miss them.
- *Other applications* – if your worker believes that you may be eligible for other benefits, you will have to apply, and bring back proof that you went to those other places, such as the Unemployment Insurance office, or the Social Security office.
- *I.D.* – at some point you will be sent to a different office to get a photo I.D., and to be finger-imaged (computer fingerprints).
- *Office of Child Support Enforcement* – if you have children and one of the parents is not in the home, you will have to go to this office and provide information about the absent parent and give HRA the right to seek child support from that absent parent.
- *Job activities* – HRA may require you to do certain things to try to get a job. One example is job search, where you will have to make phone calls or visit places where you may be able to find a job.



What documents must I bring?

Different people will sometimes need different documents, but there are certain things that almost everyone must bring, such as:

- Proof of Identity
 - Driver's License
 - Photo ID
 - Birth certificate
- Proof of Income
 - Pay stub for the previous four weeks
 - Award letters for other benefits
- Proof of Resources
 - Bank book/savings account statements
 - Checking account statements for past two months
- Proof of Residence
 - Rent receipt
 - Recent utility bill
 - Lease
- Proof of Citizenship
 - U.S. Passport
 - Citizenship papers
 - INS Documentation
- Proof of Social Security Number
- Proof that school-age children are attending school



How will I know if I am accepted?

You will receive a notice that will tell you whether your application was accepted or rejected. If your application was accepted, the notice should tell you how much you will be receiving and when your first benefits will be available.

You have a right to a written decision accepting or denying your case

When will I know if I am accepted?

If you are applying for Family Assistance, you should receive a written notice of the decision on your application within 30 days after you filed your application.

If you are applying for Safety Net Assistance, you should receive written notice of the decision within 45 days.

What if I am denied benefits?

If your application is denied, the notice should tell you the reasons why. The notice should also give information of how to request a Fair Hearing to review the decision, if you disagree with that decision. You may want to reapply at the same time that you ask for a Fair Hearing.

How Do I Keep Public Assistance?

You have to continue to prove that you meet all the eligibility criteria even after you are first approved. This process is known as recertification.

How often must I recertify?

After you become eligible for PA, you must recertify at least twice a year, sometimes more to keep your PA benefits.

How will I know when to recertify?

You will receive a written notice by mail that will tell you to report to the center on a certain day and time. The notice will also tell you what kinds of documents you should bring. You should not have to bring all of the documents that you brought to the application, because some of those things never change (like birth certificates). You will mainly have to bring the kinds of documents that might have changed since you last recertified, such as your lease, or your pay stubs, if you have a job.

What if I don't go to my recertification?

If you do not report for recertification, you will receive a new notice that will tell you that your case is going to be closed. If possible, you should go into the center as soon as you receive this notice. If you can explain why you

could not make it to the first appointment, the worker should allow you to do the recertification right there.

If HRA sends a notice that they are going to close the case because you missed a recertification appointment, you should ask for a Fair Hearing right away. At the hearing you should try to bring proof that you had “good cause” or a good excuse for missing the appointment.

Is there anything else I must do to remain eligible?

In addition to recertification, you will have to cooperate with HRA when they ask you to do certain things. These include:

- report changes in the household
- report changes in income
- cooperate with the Office of Child Support Enforcement
- participate, if you are able, in the work program; see the brochure on *Public Assistance Work Rules*.

What Are My Rights?

Almost any time that HRA makes a decision about your case, they must send you a written notice. This includes when they want to accept your case, reject your case, close your case, take back some of the benefits they gave you or reduce your grant. In all of these cases, they must send a notice that describes what they are going to do and why. You have both informal and formal rights.

What are my informal rights?

You can try to speak with your worker or your worker’s supervisor. Unfortunately, it is often difficult to get an appointment to be seen. You also have the right to request an informal conference to get the problem resolved. Call your local center and request a conference.

What are my formal rights?

You have the right to request a fair hearing within 60 days of the date on your notice. To request a fair hearing call: **(800) 342-3334**

For adjournments call: **(877) 209-1134**

To write for a fair hearing:
New York State OTDA
Office of Administrative Hearings
P.O. Box 1930
Albany, New York 12201



To Fax for a fair hearing: **(518) 473-6735**

For online fair hearing request forms or to make a request online go to:
www.otda.state.ny.us/oah/oahforms/erequestform.asp

What happens at the fair hearing?

There will be a judge who works for the state, HRA will have someone there to explain why they believe they are doing the right thing, and you will have the opportunity to explain why you believe they are not correct.

When you prepare for a hearing, you should think about whether there are documents or witnesses that can help you win your case. You can also have a lawyer, paralegal, social worker, a community advocate or even a friend, help you at your hearing.

What is aid continuing?

If you are receiving PA and are mailed a notice that states that your PA will end, you can continue to receive PA if you request a fair hearing within 10 days of the date on the notice.

Aid continuing is not automatic; you must state on the fair hearing request that you want your aid to continue pending the fair hearing decision.

What if I lose my fair hearing, will I have to pay Public Assistance back for the benefits I received during this time?

Yes.

Where Can I Turn for Help?

HRA Toll Free Infoline: **(877) 472-8411**

HRA Job Center locations

http://www.nyc.gov/html/hra/html/family_independence/job_center_sites.shtml

Legal Services, check your local yellow pages under “lawyer”, either Legal Aid or Legal Services

PBRC’s Entitlement Counselors **(212) 614-5552.**