

STATE OF VERMONT
AGENCY OF HUMAN SERVICES

DCF

Department for Children and Families

BULLETIN NO.: 07-14F

FROM: Joseph Patrissi, Deputy Commissioner
Economic Services Division

DATE: August 30, 2007

SUBJECT: Fuel Program Changes – Asset Test and
Standard Heating Cost Tables

CHANGES ADOPTED EFFECTIVE September 15, 2007

INSTRUCTIONS

- Maintain Manual - See instructions below.**
 **Proposed Regulation - Retain bulletin
and attachments until you receive
Manual Maintenance Bulletin: _____**
 **Information or Instructions - Retain
until _____**

MANUAL REFERENCE(S):

2903.1
2906.3
2906.4 P.2

Summary of Changes

2903.1 Resources

This bulletin proposes to increase the resource limit for all households to \$5,000. This change is a legislative mandate per H.537 (An Act Relating to Making Appropriations for the Support of Government).

2906.3 Fuel Program Tables

Since the proposed filing, because of comments made during the public comment period, the department has updated the maximum benefit level table in the rules.

2906.4 Standard Heating Cost Tables

This bulletin proposes changes to the Standard Heating Cost Tables for the seasonal component of the Fuel Program. This year, the dollar amounts for all fuel types have increased.

Comment Period

A public hearing was held on July 16, 2007 at 1:00 p.m., in the Agency of Human Services' Blue Room, DCF, State Office Complex, Waterbury, Vermont . No one attended.

Written comments on the proposed rule were received by the July 23, 2007 comment deadline from the following organization:

Community of Vermont Elders (COVE)

As set forth below, the department has considered these comments and responds as follows:

Comment: Our comments are directed to the legislation, H. 545, which was introduced very late last session. If enacted, H. 545 would have removed from rule making the maximum benefit table (33 VSA 2605 (a)) and the annual heating cost table (33 VSA 2604(b)). As you recall, we testified that we felt there were ways short of abandoning the statutorily mandated rule making process – which keeps the legislature annually involved in this important program – and we feel this rule present such an opportunity.

Why not update the maximum benefit table in the context of this filing? We understand such table has fallen out of date, but feel it could now be easily updated. We believe the statutory purpose behind having maximum household benefits should be honored, especially when the LIHEAP budget is very tight.

Response: We agree with the commenter and an updated maximum benefit table is included in this filing of the rule.

Comment: On the heating cost tables, while we understand you would prefer to update in the Fall rather than in the Spring, why not add language to the Rule which would allow for adjustment by procedures between the Spring and Fall – but only in those years when there has been a marked change in the relative costs of certain fuels in that narrow time period.

Response: We decline to accept this proposal at this time but will take it under consideration at a future date.

To get more information about the Administrative Procedures Act and the rules applicable to state rulemaking go to the website of the Office of the Vermont Secretary of State at: <http://vermont-archives.org/aparules/> or call Louise Corliss at 828-2863.

For information on upcoming hearings before the Legislative Committee on Administrative Rules go to the website of the Vermont Legislature at: <http://www.leg.state.vt.us/schedule/schedule2.cfm> or call 828-5760.

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Vertical lines in the left margin indicate significant changes. Dotted lines at the left indicate changes to clarify, rearrange, correct references, etc., without changing content.

Manual Holders: Please maintain manuals assigned to you as follows.

Manual Maintenance

Refugee - VHAP Rules Manual

Fuel Program Rules

<u>Remove</u>		<u>Insert</u>	
2903	(07-06)	2903	(07-14)
2906.2 P.3	(00-16)	2906.2 P.3	(07-14)
2906.4 P.2	(05-28)	2906.4 P.2	(07-14)

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2903

2903 Resources2903.1 Maximum Allowable Resources

Resources belonging to all household members shall be considered together in determining eligibility for all Fuel Program benefits.

Resource maximums for Fuel Program benefits shall be:

\$5,000 for all households.

The household's resources shall be considered at the time of application. Households in which all members receive Reach Up, food stamps, (excluding those categorically eligible for food stamps due to the receipt of EITC), or SSI/AABD automatically meet the resource test for eligibility for Fuel Program benefits.

2903.2 Definition of Resources

Resources include all liquid assets such as, but not limited to, cash, checking and savings account balances, stocks and bonds, certificates of deposit, lump sum payments, and equity in all real property not used as a home.

The following shall be excluded from consideration as a resource:

1. Household goods, personal effects, cars, trucks, vehicles, cash value of life insurance, and retirement pension funds that are inaccessible to the applicant except as payment of periodic retirement income.
2. Property that annually produces income consistent with its fair market value.
3. Resources that are not accessible to the household due to trust, estate or other title restrictions.
4. Property that the applicant is making an active effort to sell at an asking price which is realistic in relation to similar property in the area.
5. Property normally used as a home but vacated temporarily due to health problems, structural repairs or renovation in progress that make the home uninhabitable, or during repair of heating, water, sewer, or other system failures that would pose a danger to health if habitation continued prior to completion of such repair. Planned absences of up to two months for such cause may be considered temporary; longer periods will require approval of the Director of the Office of Home Heating Fuel Assistance or his or her designee based upon individual circumstances such as nature of illness, reason for delay of repairs, etc.

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2906.2 Calculation of Benefits (Continued)

- iii. Households whose applications were received from January 1 through 31, and who are found eligible, will receive sixty percent of a season's benefit.
- iv. Households whose applications were received from February 1 through the last day of February, and who are found eligible, will receive forty percent of a season's benefit.
- v. Households whose applications were received from March 1 through July 14 will not receive assistance.
- h. If a household makes undesignated payments for their home heat in the form of rent and does not participate in a public, subsidized, or Section 8 housing program, the benefit amount is equal to 30 percent of the amount calculated by the payment rate in (f.) and the percentage rates in (g.), or \$50.00, whichever amount is greater.

2906.3 Fuel Program Tables

The following tables are adopted for the purposes of determining benefit amounts for eligible Fuel Program applicants:

Table I	Table II	Table III	Table IV
Household Income as a Percentage of Poverty Guideline	Minimum Heating Fuel Costs	Heating Cost Percentage	Maximum Benefit Amount
115% - 125%	\$266	66%	\$1165
105% - 114%	243	69%	1215
95% - 104%	219	72%	1265
85% - 94%	196	75%	1315
75% - 84%	172	78%	1365
65% - 74%	149	81%	1415
55% - 64%	125	84%	1465
45% - 54%	125	87%	1515
Under 45%	125	90%	1565

2906.4 Primary Heating Fuel Costs

The annual primary heating fuel cost is based on the following standard heating cost tables (referred to as "proxy tables"). The tables were derived from the actual home heating consumption of fuel assistance recipients and developed in consultation with experts in the home energy field. The tables provide only the cost of fuel or energy for home heat. The tables are revised no less frequently than every three years based on data supplied by certified fuel suppliers to the Office of Home Heating Fuel Assistance.

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2906.4 Primary Heating Fuel Costs (Continued)

Standard Heating Cost Tables

Multi Family Homes

Fuel Type	1 Bedroom	2 Bedrooms	3 Bedrooms	4 + Bedrooms
Natural Gas	\$ 690	\$ 858	\$ 1,026	\$ 1,195
Propane	\$ 722	\$ 1,125	\$ 1,528	\$ 1,931
Oil	\$ 1,374	\$ 1,836	\$ 2,299	\$ 2,761
Kerosene	\$ 1,508	\$ 1,900	\$ 2,291	\$ 2,683
Electricity	\$ 828	\$ 907	\$ 986	\$ 1,065
Wood	\$ 1,307	\$1,352	\$ 1,398	\$ 1,443

Single Family and Mobile Homes

Fuel Type	1 Bedroom	2 Bedrooms	3 Bedrooms	4+ Bedrooms
Natural Gas	\$ 918	\$ 1,086	\$ 1,255	\$ 1,423
Propane	\$1,394	\$ 1,797	\$ 2,200	\$ 2,603
Oil	\$ 1,558	\$ 2,020	\$ 2,482	\$ 2,944
Kerosene	\$ 1,508	\$ 1,900	\$ 2,291	\$ 2,683
Electricity	\$1,449	\$ 1,528	\$ 1,607	\$ 1,686
Wood	\$1,307	\$ 1,352	\$ 1,398	\$ 1,443

Rooms may be counted as bedrooms, even though they are not presently being used for such purposes, provided that they would likely be counted as bedrooms in any advertisement for the sale or rental of the home or unit.