



COMMONWEALTH of VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

June 15, 2016

Energy Assistance Program Guidance Manual – Volume IX

Transmittal # 16-1

The purpose of this transmittal is to provide new, revised, corrected and/or clarified guidance and forms for the Energy Assistance Program (EAP). Unless otherwise stated, the provisions included in this transmittal are effective for all eligibility determinations completed on or after June 15, 2016 (the effective date of the Cooling Assistance component).

Transmittal changes and maintenance of the program guidance manual follow. The program guidance manual and this transmittal are available on SPARK at <http://spark.dss.virginia.gov/divisions/bp/ea/index.cgi#manual> and on the Internet at <http://www.dss.virginia.gov/benefit/ea/index.cgi>.

Significant changes to the manual are as follows:

Page(s) Changed	Significant Changes
Chapter A Appendix A, pages 1 - 2	The list of EAP forms has been revised to reflect the most current form numbers.
Chapter B Section 5c, page 4	Guidance has been added at item 2g to clarify the definition of homeless for the EAP and that homeless households are not eligible for Fuel Assistance.
Section 6, page 5	Guidance has been added to clarify that the gross income of an individual who has been excluded from inclusion in the household

unit due to a court order is counted when determining eligibility for the household.

At Section 6a, the maximum allowable income levels have been updated effective June 15, 2016, due to an increase in the Federal Poverty Level.

Chapter C

Section 4, page 3

Guidance that verification of statutory benefits, such as Social Security, can be obtained from an inactive public assistance (PA) record has been removed.

Verification of benefits should only be obtained from PA cases that are currently in an open (active) status.

Additionally, when a household only meets the definition of a PA household because of the receipt of EAP, the EAP case status will be considered to be open as long as the EAP case was approved during the current Federal Fiscal Year (i.e., October 1 – September 30).

Section 5, page 4

Clarification has been added that only the income of a non-PA recipient needs to be verified using the guidance at Section 5a.

Chapter D

Section 8a, page 5

Guidance has been added that Fuel Assistance payments will be provided to vendors after receipt of proper invoices and in accordance with the Virginia Prompt Pay Act. The date vendors must submit bills and the required accompanying documentation has been updated to indicate that Home Office will establish this date annually based on the program dates for Fuel Assistance.

Additionally, guidance has been added that Fuel Assistance funds cannot be used to pay unauthorized usage charges.

Page(s) Changed	Significant Changes
<p>Chapter E Section 5a, page 5</p>	<p>The order of items 3 and 4 has been reversed to increase comprehension. Additionally, item 4 has been revised to clarify the paperwork the local agency must obtain and send to Finance for a lost or stolen check.</p>
<p>Chapter G Section 1, page 1</p>	<p>The definition of a life-threatening crisis situation has been revised to include the requirement that the household include at least one vulnerable person. If an eligible household's crisis situation meets the criteria to be considered life-threatening, their energy crisis must be resolved within 18 hours. (Note: If the eligible household does not include a vulnerable person and the temperature is not projected to be 32 degrees or less, the household will receive Crisis Assistance within the less restrictive 48 hour timeframe.)</p>
<p>Section 3b, page 2</p>	<p>Item 2 has been revised to clarify that households who are homeless are only eligible for a security deposit.</p>
<p>Section 6, page 6</p>	<p>Guidance has been revised to clarify that a verbal, faxed, or emailed authorization for assistance/service must be issued by the local department of social services (LDSS) after the Crisis Assistance case has been approved in the system. This is required – it is not optional.</p>
<p>Section 7b, page 7</p>	<p>Item 1b has been revised to clarify that one of the conditions that must exist for the household to be eligible to receive assistance with the replacement or purchase of heating equipment is that the applicant or a member of the household must own the home or be responsible for the</p>

Sections 7h - 11, pages 13 - 16

provision of the heating equipment.

Guidance has been revised at Section 7h, item 1 to clarify that verification of the current cut-off/disconnect amount or verification of a prepaid meter balance of \$25 or less must be obtained before a Crisis Assistance Primary Heat Utility Bill payment can be made. The LDSS can verify the amount or the applicant can provide verification of the amount. The payment will be for the current disconnect amount not to exceed the current year's maximum for the appropriate utility type.

Additionally, guidance has been added at item 3 that Crisis Assistance funds cannot be used to pay unauthorized usage charges.

Guidance has been added at Section 9 that Crisis Assistance payments will be provided to vendors after receipt of proper invoices and in accordance with the Virginia Prompt Pay Act. The date vendors must submit bills and the required accompanying documentation has been updated to indicate that Home Office will establish this date annually based on the program dates for Crisis Assistance.

Sections 10 and 11 have been shifted to accommodate the additional language in Section 9.

Chapter J
Section 3f, page 3

Item 2 has been revised to clarify that households who are homeless are only eligible for a security deposit.

Section 7b, page 7

Guidance has been added at item 2 that the EAP will not provide assistance with the purchase and installation of a window air

Page(s) Changed

Significant Changes

Section 7c, page 8

conditioner for a household during the same Cooling Assistance program year in which the EAP has already provided assistance with the purchase of a whole house fan.

Guidance has been added to clarify that the EAP will not pay for repairs to a window air conditioner.

Section 7g, pages 9 - 10

Guidance has been added to clarify that a household is eligible for payment of an electric bill if electricity is needed to operate any type of cooling equipment.

Additionally, guidance has been added at item 5 that Cooling Assistance funds cannot be used to pay unauthorized usage charges.

A note has been added that for vendors who allow the EAP inquiry access to their online system, the online system should be used to verify the most up-to-date account information when verifying the balance owed on an electric account.

Section 7h, page 11

Guidance has been added that the EAP will not provide assistance with the self-pick-up and self-installation of a window air conditioner for a household during the same Cooling Assistance program year in which the EAP has already provided assistance with the purchase of a whole house fan.

Section 9, pages 12 - 13

Guidance has been added that Cooling Assistance payments will be provided to vendors after receipt of proper invoices and in accordance with the Virginia Prompt Pay Act. The date vendors must submit bills and the required accompanying

Page(s) Changed

Significant Changes

documentation has been updated to indicate that Home Office will establish this date annually based on the program dates for Cooling Assistance.

Questions about this transmittal should be directed to regional program consultants or Andrea Gregg, Energy Assistance Program Manager, at (804) 726-7368 or andrea.gregg@dss.virginia.gov.


Margaret Ross Schultze
Commissioner

The forms utilized in the Energy Assistance Program (EAP) are identified below. Forms can be accessed through SPARK at: <http://spark.dss.virginia.gov/divisions/bp/ea/> or at <http://www.localagency.dss.state.va.us/divisions/dgs/warehouse.cgi>. Instructions accompany forms.

VDSS Local Agency Intranet Energy Assistance Forms
<http://spark.dss.virginia.gov/divisions/bp/ea/>

FORM NAME	FORM NUMBER
Action Request Form	032-03-0639-07-eng (03/09)
Affidavit on Check Endorsement	032-06-0118-08-eng (03/13)
Affidavit on Check Endorsement (Spanish)	032-06-0118-04-spa (02/04)
Appeal to State Department of Social Services	032-03-0024-09-chi (07/04)
Appeal to State Department of Social Services	032-03-0024-09-far (07/04)
Appeal to State Department of Social Services	032-03-0024-09-ara (07/04)
Appeal to State Department of Social Services	032-03-0024-10-eng (01/10)
Appeal to State Department of Social Services (Spanish)	032-03-0024-09-spa (10/09)
Benefit Programs Brochure	B032-01-0002-17-eng (06/13)
Checklist of Needed Verifications	032-03-0814-10-eng (09/11)
Checklist of Needed Verifications (Spanish)	032-23-0814-08-spa (11/97)
Confidentiality Form	032-01-0040-03-eng (09/04)
Cooling Assistance Application	032-03-0657-12-eng (05/16)
Cooling Assistance Application (Spanish)	032-03-0657-07-spa (05/16)
Cooling Assistance Worksheet/Evaluation	032-06-0656-05-eng (06/16)
Correction of Payment (COPE)	032-03-0201-09-eng (10/08)
Crisis Assistance Application	032-03-0651-08-eng (09/15)

FORM NAME	FORM NUMBER
Crisis Assistance Application (Spanish)	032-03-0651-03-spa (09/15)
Crisis Assistance Worksheet/Evaluation	032-03-0381-08-eng (10/15)
Energy Assistance Case Input Document	032-03-0080-18-eng (06/06)
Energy Assistance Program Fact Sheet	032-01-0914-19-eng (10/14)
Energy Assistance Program Fact Sheet (Spanish)	032-01-0914-19-spa (10/14)
Energy Assistance Program Information Sheet	032-03-0661-13-eng (05/16)
Energy Assistance Program Information Sheet (Spanish)	032-03-0661-13-eng (05/16)
Energy Assistance Program Case Payment Adjustments	032-03-0183-09-eng (06/00)
Energy Assistance Program Check Cancellations	032-03-0184-02-eng (08/95)
Fuel Assistance Application	032-03-0650-07-eng (09/15)
Fuel Assistance Application (Spanish)	032-03-650-02-spa (09/15)
Fuel Assistance Worksheet/Evaluation	032-03-0652-04-eng (10/15)
Instructions for Completion of Crisis Worksheet Evaluation	032-03-381a-00-eng (10/14)
Notification of Eligibility for Crisis Assistance	032-03-0456-00-eng (11/14)
W-9 Request for Taxpayer Identification Number(s) and Certificate	032-06-0016-00-eng (02/07)
Virginia Energy Assistance Program Vendor Agreement	032-03-0678-01-eng (4/07)

- 3) Section 101 of the Housing and Urban Development Act of 1965 (includes Rent Supplement Program);
 - 4) Section 202 of the Housing Act of 1959 (Elderly Housing Program); and
 - 5) Title V of the Housing Act of 1949 (includes assisted housing programs administered by the Farmers Home Administration).
- 2) The types of households that are ineligible to receive Fuel Assistance are:
- a) Subsidized households whose total heating costs are included in their rent.
 - b) Persons living in licensed facilities.
 - c) Persons living in group homes who have no heating expense or who pay a nominal fee to live there.
 - d) Subsidized households who are responsible for periodic payment of individual excess fuel usage charges even though heating expenses are included in their rent. (Living Arrangement Code F)
 - e) Persons who reside in only one room within a larger dwelling.
 - f) Persons who have no physical address.
 - g) **Persons who are homeless.**

Note: The EAP will define a homeless individual as Section 330 of the Public Health Service Act (42 U.S.C., 254b) does - “an individual who lacks housing (without regard to whether the individual is a member of a family), including an individual whose primary residence during the night is a supervised public or private facility (e.g., shelters) that provides temporary living accommodations, and an individual who is a resident in transitional housing.” A homeless person is an individual without permanent housing who may: live on the streets, a shelter, mission, single room occupancy facility, abandoned building or vehicle, or stay in any other unstable or non-permanent structure.

6. INCOME

The gross income, both earned and unearned, of each member of the household is to be considered in determining eligibility. **The gross income of an individual who, due to a court order, is not included in the number of household members eligible for assistance is to be counted in determining eligibility for the household unit.** Money that is paid to a household member by another household member is not considered income.

a. Income Levels

No eligible household shall exceed the income maximums set by the VDSS, except households in which all members are SSI recipients. If all household members receive SSI, income code K must be used. The maximum monthly countable income for each household size is:

Household Size	Maximum Income	Household Size	Maximum Income
1	\$1,287	11	\$5,782
2	\$1,736	12	\$6,233
3	\$2,184	13	\$6,684
4	\$2,633	14	\$7,134
5	\$3,081	15	\$7,585
6	\$3,530	16	\$8,036
7	\$3,980	17	\$8,486
8	\$4,430	18	\$8,937
9	\$4,881	19	\$9,388
10	\$5,332	20	\$9,838

b. Exempt Income

The following exemptions will be applied in establishing eligibility for any Energy Assistance component. All exemptions specifically identified by a code in the Supplemental Nutrition Assistance Program (SNAP) have already been deducted from the gross countable income in all supplemental nutrition assistance cases with preprinted applications. For those SNAP cases with exemptions that were coded under other, no deductions have been made on the preprinted application.

- 1) Home produce of the assistance unit utilized for their own consumption.
- 2) The value of Supplemental Nutrition Assistance Program benefits.
- 3) The value of foods donated under the U.S.D.A. Commodity Distribution Program, including those furnished through school meal programs.

verification of any kind is needed. If a significant change as defined above is made to the preprinted data refer to significant changes in section 2 d, otherwise the preprinted data should be used.

- b. If the number of household members does not match, their income and all other eligibility factors must be determined in accordance with the procedures for other public assistance households or non-public assistance households, as appropriate.
- c. The income codes in the system will be displayed for the type of income selected from the SNAP database and used to establish the income amount present on the document. Deduct the Medicare premium listed on the application from the preprinted income amount.
- d. Some eligible SNAP households that received Fuel Assistance during the previous year are mailed an Approval Notice in October based on information contained in the two databases. These households are approved at the onset of the Fuel Assistance component and are requested to notify the LDSS only if household information has changed. The Approval Notice contains case number, case name, address, gross countable monthly income, number of people in the household, citizenship, living arrangement, vulnerability factors, heating equipment, fuel type, vendor and account number. Households that receive an Approval Notice and report changes will be handled in accordance with [Chapter C, Appendix A](#).

4. OTHER PUBLIC ASSISTANCE HOUSEHOLDS

[Chapter B.5](#) contains the definition for public assistance (PA) cases. Income, citizenship, etc. verification available in current, **open** PA records in the LDSS will be used to determine Energy Assistance eligibility for other PA households. **(For EAP only cases, the PA record can be used if the EAP case was approved during the current Federal Fiscal Year [October 1 – September 30].)** If verifications are not available in current agency records, the procedures for non-PA households must be used.

For households in which all of the members are current recipients of SNAP, the income verification in the SNAP record may be used.

5. NON PUBLIC ASSISTANCE HOUSEHOLDS

A Fuel Assistance application is mailed to prior year Fuel and Crisis Assistance recipients and current year Cooling Assistance recipients in September. The preprinted application contains case number, case name, address, phone number, SSN, sex, race and spouse's SSN. The income verification for any EAP household (such as households receiving a preprinted Fuel Assistance application that does not contain income, a new applicant household that is not known to the

LDSS or a combination household containing both PA recipients and non-PA recipients) will be handled as follows **for non-PA recipients:**

a. Income

Each household member's total monthly income is rounded to the nearest dollar amount in determining gross amounts. Forty-nine cents (49¢) and under will be rounded to the lower dollar and fifty cents (50¢) and up will be rounded to the higher dollar amount.

LDSS may require households claiming no income for all household members to provide a written statement from a reliable source. The LDSS may require a notarized statement if a reliable source is unobtainable.

An applicant's statement will be accepted for income over the maximum income level. If it is questionable that the income is over or it appears the income is under the maximum income level, verification must be obtained.

The income received by each household member who is not receiving public assistance will be verified as follows:

1) Regular Income

Regular earned and unearned income is scheduled predictable income for which a set pattern can be established. All income, including self-employment or seasonal income that meets this definition is considered regular income. NOTE: The income of school employees is considered regular earned income.

Whenever income is anticipated for every pay period in a month and it is received on a weekly or biweekly basis, the eligibility worker must convert the income to a monthly amount by multiplying the average weekly amount by 4.3 and average biweekly amount by 2.15.

Pay received on a daily basis must be converted to a weekly or biweekly amount and then converted to a monthly amount by multiplying the average weekly amount by 4.3 and the average biweekly amount by 2.15.

NOTE: Households receiving monthly or semi-monthly income, such as a state or federal assistance payment, or semi-monthly pay checks, must have the income assigned to the normal month of receipt, even if mailing cycles, weekends, or holidays cause the income to be received in a different month.

Verify and count regular income received in the calendar month prior to the month of application.

c. Turnaround Documents

Turnaround documents (TD) are optionally printed at the LDSS after the entry of data into the system. They are to be filed in the case record to verify completed actions.

If a transaction is entered on a case which initiates the 10 day automated vendor change process, a TD will be sent to the PID number of the terminal where the transaction was entered. When the printer for that terminal is activated, the LDSS will be able to print TDs for all transactions that have completed the vendor change process.

8. PAYMENTS

a. Fuel Vendors

Payments will usually be made directly to fuel vendors. Payments will only be made for the primary fuel type currently used in the house. All vendor payments for Fuel Assistance will be authorized by Home Office. The system will generate a credit authorization consisting of three vouchers when the automated benefit amount is determined. The credit authorization will be mailed to the vendor from Home Office. Vendors will submit all bills attached to signed credit authorization vouchers to Home Office for payment. **Payments will be provided after receipt of proper invoices and in accordance with the Virginia Prompt Pay Act.**

For individuals on a budget plan with a vendor, the amount of the payment will be the higher of the actual amount owed or the budget amount. If paying the higher amount would jeopardize the budget plan, pay the budgeted amount owed.

In addition to the actual cost of fuel, late charges, and delivery charges, the bill may include fees for restarting the furnace when the household has run out of fuel. The installation charges for fuel tanks, rental of propane tanks, and fees for connecting and reconnecting furnace and fuel lines may also be included on the bill. **Fuel Assistance cannot pay charges for unauthorized usage.**

All vendor bills with accompanying signed credit authorizations for Fuel Assistance must be received in Home Office by the **date specified by Home Office. Home Office will advise by broadcast the last day that payment data can be entered in the system.**

b. Households

Direct payments to clients will be issued in one lump sum. The vendor number 999999 is to be used for all direct pay cases.

- 2) Underpayments - Complete a COPE form.

A copy of the local check made payable to the client or the vendor as appropriate correcting the error must accompany the COPE form. The COPE form is to be completed in triplicate with the original COPE form and a copy of the check sent to the Regional Consultant, if the underpayment was for a client. A copy of the COPE form and a copy of the check are sent to the Vendor Coordinator if the underpayment was for a vendor. The LDSS should retain a copy of the COPE form and the local check for their records.

5. LOST AND STOLEN CHECK PROCEDURES

a. Client Checks (All EAP components)

- 1) Confirm that the check has been sent by checking the Inquiry on Payment History in the system. The seventh column on the screen will show either a "P" for pending payment or an "H" for history. If an "H" is indicated, the payment was issued on the date indicated in column four.
- 2) After the seventh mail delivery day, the fuel worker or an authorized person in the LDSS will have the client sign three original notarized affidavits stating the client has not endorsed the check and complete a W-9, Request for Taxpayer Identification Numbers and Certificate form (W-9 form). The Affidavit on Check Endorsement must be used for this purpose. A locality may also have a locally designed affidavit signed as a supplement to the VDSS form. The affidavit must contain the correct social security number (SSN) or the correct employer identification number (EIN).
- 3) The locality must obtain **two original affidavits, an original Stop Payment Request, and an original W-9 form. One original affidavit (including two original Affidavit of Check Fraud by Payee [Wells Fargo Bank] forms), the original Stop Payment Request, and the original W-9 form** must be sent to the Division of Finance, Processing Unit. In addition, one original affidavit and a copy of the Stop Payment Request form and a copy of the W-9 form will be retained in the case record. If the LDSS chooses, they may make additional originals or copies of the affidavit and/or the Stop Payment Request and the W-9 form for use in coordinating with other agencies or city/county personnel.
- 4) The LDSS will prepare a Stop Payment Request. The Stop Payment Request and Affidavit on Check Endorsement must contain the exact information reflected on the warrant register for the check, except for the address on the affidavit. The client must enter the current address on the affidavit. On the Stop Payment Request, if the client has moved, include the new address in the comment section along with other pertinent information.

1. PURPOSE

Federal law (Section 2604(c) of the Low-Income Home Energy Assistance Act of 1981 [Title XXVI of the Omnibus Budget Reconciliation Act of 1981, Public Law 97-35, as amended]), requires each state to provide energy crisis intervention. This intervention must resolve the energy crisis of eligible applicants within 48 hours, or 18 hours in a life-threatening situation. **A crisis situation is considered life-threatening if 1) the temperature is projected to be 32 degrees or less and 2) the household includes at least one vulnerable person (an individual who is under age 6, age 60 or older, or disabled).**

An energy crisis is defined as a situation in which the household has no heat or is in imminent danger of being without heat. Unlike an entitlement program with the ability to serve all eligible applicants, funding for Crisis Assistance is discretionary and limited. In Virginia, the Crisis Assistance component is designed to help the household meet energy emergencies that cannot be met by other resources.

2. ADMINISTRATION

a. Contracting

LDSS may contract with other agencies to take and/or prepare for processing Crisis Assistance applications. If the contract is for taking applications only, the maximum cost per application is \$8. If the contract is for taking and preparing applications for processing, the LDSS will negotiate a cost per case based on that agency's maximum amount of administrative funds available. The LDSS will retain responsibility for all case payments. See [Chapter A. 8](#) for LDSS responsibility when contracting.

b. Program Dates

LDSS are required to take applications for Crisis Assistance and provide Crisis Assistance from November 1st through March 15th of the following year unless funds are depleted earlier. Home Office will notify agencies if funds are not available to continue program operations.

c. Outreach and Public Information

Home Office will provide general information to the public via a media release prior to the beginning of the component. This information will include eligibility criteria.

LDSS must establish a formal procedure describing steps to take in the event of a weekend, holiday or after hours crisis. This procedure must be made known to all Crisis eligible households already known to the LDSS.

d. Community Resource Coordination

Each LDSS must identify what resources are available either in or outside the LDSS that provide assistance for energy emergencies. Other resources are defined as resources from other programs, such as local emergency funds, and other community programs, such as those administered by churches, community action agencies, utility companies, etc. Knowing in advance what resources are, or are not, available will enable the LDSS to assist the applicant when emergencies occur. Crisis Assistance can be provided along with another resource if the combination of those resources will prevent or alleviate the emergency.

3. ELIGIBILITY CRITERIA

In order to be eligible for Crisis Assistance, a household must meet all of the following criteria.

- a. All of the criteria in [Chapter B sections 6-8](#) are applied to the individual or group of individuals who function as one economic unit and who share residential energy.
- b. A household that applied for Fuel Assistance may or may not be eligible for Crisis Assistance depending on the living arrangement and the type of Crisis Assistance for which it is applying.
 - 1) Households with heat included in the rent or those living in subsidized housing whose total heating costs are included in their rent (living arrangement codes E) are only eligible for emergency shelter or a space heater; or
 - 2) **Households** temporarily living in a non-profit emergency shelter **and/or homeless** (living arrangement code Q) are only eligible for a security deposit.
- c. If the household has been determined eligible for Fuel Assistance benefits, income does not need to be verified, unless a significant change (see [Chapter C.2](#)) has occurred. If eligibility for Fuel Assistance has not been determined, the agency must attempt to obtain verification of income within the allowable processing time period (see [Section 5.a.](#)). In addition to the methods of verifications listed in [Chapter C](#), verifications may include telephone or collateral contacts or self-declaration for income. If self-declaration is used, the applicant must be requested to provide complete verification to confirm eligibility. The agency may recover improper payments from the client, as indicated in [Chapter E](#), if verification proves that the applicant is ineligible.

All attempts should be made to pool all available resources to prevent or alleviate the emergency.

To ensure that the energy crisis has been resolved within the timeframes specified by federal law, a verbal, faxed, or emailed authorization for assistance/service **must** be issued by the LDSS, to the vendor, after the case has been approved in the system. The “Notification of Eligibility for Crisis Assistance” will be used for all fax or email correspondence.

Authorization for heating equipment replacement should be made only after a vendor has determined the equipment cannot be repaired or when there is no heating equipment in the home. Upon receipt of a call from a vendor indicating that it is more feasible to replace heating equipment than to repair, the LDSS must request return or destruction of the credit authorization, close the case, and reopen the case with the new crisis type and changed benefit amount. Closure and reopening can occur the same day. See the Quick Reference Guide for appropriate closure codes.

7. ASSISTANCE PROVIDED

The following types of assistance are available when the conditions for providing assistance are met and it will ensure heat for the household:

- Repair of Heating Equipment. (Nov. 1 - March 15)
- Replacement of Heating Equipment. (Nov. 1 - March 15)
- Provision of Supplemental Heating Equipment/Maintenance. (Nov. 1 - March 15)
- Once-per-lifetime payment of primary heat source utility security deposit per fuel type. (Nov. 1 - March 15)
- Payment for emergency shelter in no heat situations. (Nov. 1 - March 15)
- Purchase of a portable space heater for temporary use. (Nov. 1 - March 15)
- Purchase of primary home heating fuel. (First work day Jan. - March 15)
- Payment of primary heat utility bill. (First work day Jan. - March 15)

Each type of assistance has special conditions as indicated below.

a. Repair of Inoperable or Unsafe Heating Equipment (Code A)

1) This assistance can be provided when the following conditions exist:

- a) The applicant, or a member of the household, owns or is responsible for the maintenance of the heating equipment. Responsibility of a renter for repair of heating equipment is determined by a lease, rental agreement, or statement in writing from the landlord that specifies the renter is responsible for the maintenance of the heating equipment. (NOTE: If the renter is not responsible for the maintenance of the heating equipment or responsibility cannot be determined, the LDSS

should consider providing other types of Crisis Assistance to alleviate the heating emergency.); and

- b) The heating equipment to be repaired is the primary heating system used by the household; and
 - c) The heating equipment is inoperable or unsafe at the time of the request. Unsafe is defined as heating equipment that is dangerous or harmful to the health or safety of the household.
- 2) Assistance can be received more than once during the program year. If assistance was previously received during the program year, the LDSS must ensure vendor compliance with required repair guarantees. Additionally, the total amount authorized for heating equipment repairs may not exceed the maximum benefit amount for the program year.
- 3) Repairs authorized by the household are not reimbursable unless the emergency need occurred outside the LDSS' normal operating hours and the repair was required to prevent or alleviate a dangerous or harmful situation. In such cases, an application for assistance must be filed the next working day.

The maximum authorization per household per program year for the repair of heating equipment is the amount of the bill not to exceed \$500. If the heating equipment cannot be repaired, or the cost to repair significantly exceeds the maximum, the equipment may be replaced.

If a visit is made and no work is, or will be, performed, the vendor may assess a trip charge not to exceed \$50.

NOTE: Repair of heating equipment or combination of repair and trip charge cannot exceed \$500.

b. Replacement or Purchase of Heating Equipment (Code B)

- 1) This assistance can be provided when the following conditions exist:
 - a) There is no primary heat source equipment in the home or a vendor has determined the equipment cannot be repaired; and
 - b) The applicant, or a member of the household, owns **the home** or is responsible for the provision of the heating equipment. (Note: The EAP does not purchase heating equipment for renters.); and

- 4) For households that received a direct payment for their Fuel Assistance benefit, verification that the Fuel Assistance benefit was used to purchase primary fuel is required prior to the approval of Crisis Assistance Primary Fuel.

Home Office will advise annually the maximum benefit amount for each primary fuel type via broadcast.

h. Payment of Primary Heat Utility Bill (Code X)

Applications are accepted the first working day of January through March 15.

- 1) This assistance can be provided when the following conditions exist:

- a) The account or electric service is in the name of the applicant or a member of the household or the service address is the same as the applicant's address as verified by the utility company; and
- b) The household has exhausted all Fuel Assistance benefits this program year; and
- c) The household has no heat or will have no heat because the primary heat source of electricity or natural gas has been cut off within the past thirty days; will be disconnected within fifteen days; or has a prepaid meter balance of \$25 or less. A copy of the **current** cut-off/disconnect notice or verification of a prepaid meter balance of \$25 or less must be provided by the applicant **or verified by the LDSS**.

If service is still on and the **current** delinquent bill or cut-off amount is equal to or less than the maximum for this type of assistance, the disconnect amount indicated on the disconnect notice or statement is to be paid. If the amount on the **current** disconnect notice or statement exceeds the allowed maximum, the applicant must provide verification that the difference between the amount needed and the maximum has been paid or has been approved for payment by another agency prior to approval of the application.

If service is already disconnected, the applicant must contact the utility company to obtain a written statement of the amount necessary to have services restored. If the amount needed exceeds the allowed maximum amount, the applicant must provide verification that the difference between the two amounts has been paid or has been approved for payment by another agency prior to approval of the application.

- 2) Assistance can be received only once per program year.

- 3) **Assistance cannot pay charges for unauthorized usage.**
- 4) For households that received a direct payment for their Fuel Assistance benefit, verification that the Fuel Assistance benefit was used to pay their primary heat bill is required prior to approval of Crisis Primary Utility.

Authorize only **the amount needed to restore service or avoid cut-off/disconnection (as verified per guidance at item 1c above)**. **This amount cannot** exceed the current year's maximum for the appropriate utility type. Home Office will advise annually the maximum benefit amounts via broadcast.

8. HEATING EQUIPMENT BENEFITS

Assistance with heating equipment repair, heating equipment replacement, and supplemental equipment and maintenance may be received in combination and/or more than once per program year to meet a crisis need. The State Board of Social Services has established benefit caps on heating equipment repair/replacement. The system will edit authorizations/payments to ensure adherence to the caps. The maximums are as follows:

- a. Up to \$500 - repair of heating equipment or combination of repair, trip charge.
- b. Up to \$800 - maintenance or supplemental equipment (oil tank, tank stand, fuel lines, etc.)

NOTE: Supplemental equipment/maintenance or combination of repair of heating equipment, trip charge, maintenance or supplemental equipment cannot exceed \$800.

- c. Up to \$1700 - heating equipment replacement or purchase
- d. Up to \$2500- maximum that can be received for entry of multiple types of assistance with purchase/replacement, supplemental equipment, or repair of heating equipment. The maximum for each type of assistance applies.
- e. Up to \$50 - can be charged per trip when no work is performed. A trip charge cannot be paid if the vendor returned or will return to repair or replace the equipment. To enter this in the system, use type of assistance code "R".

9. PAYMENTS

Payments will usually be made to the vendor upon receipt of a bill. **Payments will be provided to the vendor in accordance with the Virginia Prompt Pay Act.** All repair bills must be itemized with a breakdown of the costs for parts and labor. Virginia state taxes on the itemized bill will not be paid. Local taxes and other states' taxes should be paid. Bills for unauthorized repairs or purchases and bills for repairs or purchases incurred prior to application for Crisis Assistance will not be paid. A household will not be reimbursed for charges paid out of pocket.

The amount of payment for each type of assistance offered is the exact amount necessary to alleviate the emergency, not to exceed the appropriate maximum.

Payments may be made directly to the client for primary fuel based on the Fuel Assistance direct pay criteria. See requirements for locally issued checks in [Chapter E](#).

For households that received a direct payment for their Fuel Assistance benefit, verification that the fuel assistance benefit was used to purchase/pay primary fuel/utility is required prior to the approval of Crisis Assistance Primary Fuel/Utility.

For cases requiring multiple payments, approvals must not be entered in the system simultaneously. The first approval must be entered in the system and the bill paid before a second crisis approval can be made in the system.

- a. Enter the crisis benefit at time of eligibility determination as follows:
 - 1) The exact amount of the bill, not to exceed the maximum authorization for the type of assistance. File a copy of bill in the case record.
 - 2) If there is no bill when the case is ready for eligibility determination, the maximum crisis benefit for the type of assistance is used. Payment will only be entered in the system upon receipt of a bill. The bill must be filed in the case record. The system will automatically close the case, unencumber the difference and remove the crisis benefit amount.
- b. For all changes, the worker will use the Crisis Add/Change screen.

If the total bill amount exceeds the crisis benefit maximum, the worker must enter the maximum for that type of assistance in the bill check amount and enter the total of Crisis Assistance and money from other sources used to alleviate the emergency amount in the total bill field. The system will generate a check for the bill check amount only. The total monies from other sources must be entered in the other paid field. The system maintains a history of total costs for each case.

All vendor bills with accompanying signed credit authorizations for Crisis Assistance must be received in the LDSS by the date specified by Home Office. Home Office will advise by broadcast the last day that payment data can be entered in the system.

10. APPEALS

The appeal procedures in [Chapter F](#) will be used for Crisis applicants who are denied assistance, except that the LDSS must schedule a conference within ten working days

from the date of request, unless the household requests that the conference be scheduled later.

11. SELLING FOR PROFIT

An eligible household who is found to have sold or is selling for profit fuel or merchandise purchased by the EAP will be ineligible to receive further assistance for that program year, which is October through September.

- 2) **Households** temporarily living in a non-profit emergency shelter **and/or homeless** (living arrangement code Q) are only eligible for a security deposit.

4. APPLICATIONS

Applicants for Cooling Assistance must complete a Cooling Assistance application. A new application must be completed each time Cooling Assistance is requested unless the request is for the same type(s) of assistance. The applicant should select a vendor from the agency's approved vendor list. (Note: For households who are participating in the Address Confidentiality Program [ACP] and request equipment that will require the customer to select a vendor, the LDSS will have to contact their Regional Consultant so a manual check can be generated by the Home Office.) All other policy on taking applications for Cooling Assistance is indicated in [Chapter A, 9](#). Cooling Assistance applications can be found at: <http://spark.dss.virginia.gov/divisions/bp/ea/>.

Applications may be received by mail, in person, by fax, or online. A signature on the application is required. A face-to-face interview is not required.

Only one member of a household may make an application for Cooling Assistance. This application will be assumed to request assistance for all persons residing in the household.

A household may apply more than one time. For example, a household may apply for an air conditioner in June and for an electric payment in August. More than one type of assistance may be approved on a single application. This may happen in the case of a request for cooling equipment purchase/repair and an electric bill payment.

If a household requests assistance with the payment of an electric bill and later requests the same type of assistance during the Cooling Assistance application period, a new application is not required. The household will only need to submit a copy of the most recent electric bill. The worker will enter the date the bill was received as the application date in the system.

5. PROCESSING APPLICATIONS

The LDSS must enter all Cooling Assistance applications in the Cooling Assistance system by Friday of the week the applications are received. The application must be placed in pending status unless ready for eligibility determination (ED) or locally entered denial. At the close of the application period, LDSS must have all client/case data for cooling cases entered into the system and bills paid by a date to be specified by Home Office. In processing applications, LDSS must use the Cooling Assistance Worksheet/Evaluation found on the Local Agency Intranet at: <http://spark.dss.virginia.gov/divisions/bp/ea/>.

- available. If a household has stated that a cooling unit is borrowed and then states that it has been removed, the LDSS should obtain a signed statement either from the lender, or if such is unobtainable, a notarized statement from the applicant, that the unit is gone; and
- b) The applicant or a member of the household owns the home or can provide a landlord statement permitting installation and utilization of cooling equipment.
- 2) Additionally, the household must meet one of the following conditions to be eligible for the purchase of one air conditioner if equipment has been previously purchased through the EAP. **(Note: If the EAP has purchased a whole house fan for the household during the current Cooling Assistance program year, the EAP will not purchase an air conditioner.)**
- a) Cooling equipment previously purchased through the EAP had no warranty, the warranty has expired or the warranty cannot be adhered to for reasons beyond the household's control; or
 - b) The household has moved since the cooling equipment was previously purchased by the EAP and could not take the cooling equipment with it, or the cooling equipment cannot be used in the new residence; or
 - c) Cooling equipment previously purchased by the EAP was stolen and the household can provide a copy of the filed police report of the theft.
- 3) A written request to remove the equipment warranty from the EAP system must be sent to the Regional Consultant citing the reason for removal. The explanation must meet criteria in 2) a), b), or c) above.
- 4) The warranty years on the air conditioner compressor/sealed system must be entered in the system for tracking purposes and have at least a two year warranty. The vendor will submit this information in writing when requesting payment.

Maximum benefit amount for an air conditioner purchase/installation/rewiring is \$550.

c. Repair of Central Air Conditioning Unit or Heat Pump (Code C)

- 1) A household is eligible for this assistance under the following conditions:
 - a) The applicant or a member of the household owns the air conditioner or can provide a landlord statement indicating household responsibility for the central air conditioner or heat pump; and
 - b) The central air conditioning unit or heat pump is inoperable, unsafe (e.g., frayed wires or overheating), or in need of maintenance.

- 2) Assistance can be received more than once during the program year. However, before such assistance is approved, the LDSS must review the case file to determine that there is no current 30 day service guarantee still in effect.

Maximum benefit amount for Central Air or Heat Pump repairs is \$300.

Note: The EAP does not pay for repairs to window air conditioners.

d. Security Deposits (Code D)

A once-per-lifetime payment per household related to the operation of the cooling equipment is allowed. If the household has received an electric security deposit through the EAP previously, the household is not eligible for one under the Cooling Assistance component.

- 1) A household is eligible for a security deposit if:
 - a) The service address on the account is the same as the applicants service address; and
 - b) The household has never been assisted by the EAP with the type of security deposit requested; and
 - c) Payment by another agency or the household of the difference between the deposit and the Cooling Assistance maximum has been verified, documented in the case record and entered into the system; and
 - d) The utility has been disconnected and cannot be turned on unless a security deposit is paid, or there is a utility disconnect notice because of non-payment of the security deposit (a copy of a disconnection notice for delinquent or new security deposit is required). Verbal authorizations should be given when (1) the household has a disconnection notice that is scheduled to occur within five days; or (2) the electricity has been disconnected and the utility requires verification that the bill will be paid before service is reconnected and the case has been approved in the EAP Cooling Assistance system; or
 - e) The household has applied for the service and payment of the security deposit is required prior to connection (written verification is required).
- 2) Since assistance is restricted, the deposit stays with the household member/case name, regardless of where the individual resides.

Authorize the actual amount of the unpaid security deposit or the balance (total verified unpaid amount not just an installment) of the deposit not to exceed \$200.

The method of verification must be documented in the case record. Neither the monthly bill amount, nor arrearage is to be included in this authorization or payment.

e. Ceiling, Attic or Whole House Fan Purchase and Installation (Code E)

- 1) A household is eligible for the purchase and installation of a ceiling, attic or whole house fan unit if:
 - a) No operable cooling equipment is in the household; and
 - b) The applicant or a member of the household owns the home or can provide a landlord statement permitting installation and utilization of the cooling equipment.
- 2) Assistance can be received only once during the program year.

The maximum benefit amount for an installed fan is \$350.

f. Repair of an Installed Fan (Code F)

- 1) This type of assistance should only be provided for ceiling, attic, or whole house fans. Repairs to a small portable fan are not feasible; therefore, purchase of a new fan would be more appropriate.
- 2) The household is eligible for the repair of an installed fan if:
 - a) The applicant or a member of the household owns the installed fan or can provide a landlord statement indicating household responsibility for the ceiling, attic, or whole house fan.
 - b) Repairs to fans include but shall not be limited to motor or belt replacements.
 - c) Assistance can be received more than once during the program year; however, the LDSS must ensure vendor compliance with required repair guarantees.

Maximum benefit amount for repairs to an installed fan is \$100.

g. Payment of Electric Bill (Code G)

- 1) A household is eligible for this assistance if payment of electricity is needed to operate cooling equipment (**to include fans, air conditioners, and heat pumps**). The applicant's statement will be accepted as verification that working cooling equipment exists in the residence.

NOTE: A disconnection notice is NOT a requirement for this type of assistance.

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- 2) The electric bill has been verified as being in the name of the applicant or a household member or the service address on the bill is the same as the applicant's.
- 3) If there is a disconnection and the amount exceeds the allowed maximum, the applicant must provide verification that the difference between the amount that is needed and the maximum, has been paid or has been approved for payment by another agency prior to approval of the application. Documentation of the verification must be included in the case record.
- 4) Assistance can be received more than once during the program year.
- 5) **Assistance cannot pay charges for unauthorized usage.**

The balance owed on the electric account must be verified. **(Note: For vendors who allow the EAP inquiry access to their online system, the online system should be used to verify the current account information.)** If the current balance is zero, the LDSS will deny the application. Prior to the end of the Cooling Assistance application period, the applicant may provide an electric bill showing a balance due. A new application is not required; the date the bill was received by the LDSS will be used as the new application date.

For individuals on a budget plan with a vendor, the amount of the payment will be the higher of the actual amount owed or the budget amount. If paying the higher amount would jeopardize the budget plan, pay the budgeted amount owed.

The LDSS will not process any payments for \$0.99 or less.

Home Office will advise annually the maximum benefit amount for electric bill payments via broadcast.

h. Self Pick-up and Self Installation of an Air Conditioning Unit (Code H)

- 1) A household must meet the following two conditions to be eligible for the purchase of one air conditioner.
 - a) No operable air conditioner is owned or available to the household. If it is provided by the landlord, or borrowed, it is considered to be available to the household until it is removed or otherwise no longer available. If a household has stated that a cooling unit is borrowed, then states that it has been removed, the LDSS should obtain a signed statement either from the lender, or if such is unobtainable, a notarized statement from the applicant, that the unit is gone; and
 - b) The applicant or a member of the household owns the home or provides a landlord statement permitting installation and utilization of cooling equipment.

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- 2) Additionally, the household must meet one of the following conditions to be eligible for the purchase of one air conditioner if equipment has been previously purchased through the EAP. **(Note: If the EAP has purchased a whole house fan for the household during the current Cooling Assistance program year, the EAP will not purchase an air conditioner.)**
- a) The cooling equipment previously purchased through the EAP had no warranty, the warranty has expired, or the warranty cannot be adhered to for reasons beyond the household's control; or
 - b) The household has moved since cooling equipment was previously purchased by the EAP and could not take the cooling equipment with it or the cooling equipment cannot be used in the new residence; or
 - c) The cooling equipment previously purchased by the EAP was stolen and the household can provide a copy of the filed police report of the theft.

The Action Request Form for a warranty removal must be sent to the Regional Consultant with an explanation for the removal. The explanation must meet criteria in 2) a) b) or c) above.

- 3) The warranty years on the air conditioner compressor/sealed system must be entered in the system for tracking purposes and have at least a two year warranty. The vendor will submit this information in writing when requesting payment.

Maximum benefit amount for self pick-up/self-installation of an air conditioner is \$350.

8. COOLING ASSISTANCE BENEFITS

Assistance may be received in combination and/or more than once per program year to meet a cooling need. Maximums have been established for each type of assistance. The system will edit authorizations/payments to ensure adherence to the maximums. Enter the Cooling Assistance maximum benefit or the balance thereof for the type of assistance requested. The maximums are as follows:

Type of Assistance	Frequency during Cooling	Maximum Benefit
One Portable fan	Once	\$50.00
Pick Up One Air Conditioner	Once	\$350.00
Air Conditioner/Installation	Once*	\$550.00
Repair central air/heat pump	Unlimited	\$300.00
Repair Installed Fan	Unlimited	\$100.00
Installed Fan	Once	\$350.00
Electric Bill Payment	Unlimited	Determined Annually
Security Deposit	Once per lifetime	\$200.00

*Equipment and installation bills may be paid separately.

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9. PAYMENTS

Services provided as the result of the issuance of a credit authorization are exempt from Virginia state sales tax, except for hotel lodging. Prior to entering a payment in the system, subtract any state tax erroneously included in the bill.

The Cooling Assistance system will be used for all Cooling Assistance payments. For cases requiring multiple payments for different types of assistance, approvals must not be entered in the system simultaneously. The first approval must be entered in the Cooling Assistance system and the bill paid before the second approval can be entered in the Cooling Assistance system.

All payments for Cooling Assistance will be entered by the LDSS. Payments will usually be made directly to the vendor. **Payments will be provided to the vendor after receipt of proper invoices and in accordance with the Virginia Prompt Pay Act.** In a few instances, payments will be made directly to the applicant.

Cases for which a credit authorization is issued must not have payment information entered at the time of case approval because the vendor will not know which account to credit. Vendor payments are entered in the Cooling Assistance system upon receipt of a credit authorization billing or an itemized bill.

When a bill is received and the payment is entered in the Cooling Assistance system, the case will be automatically closed; the unpaid benefit balance will be unencumbered and returned to the benefit pool.

No bill will be received from a security deposit option vendor; therefore, no bill amount will be entered or paid. The Cooling Assistance system generates a credit authorization and automatically closes the case. The vendor will waive the deposit.

If the total bill amount exceeds the benefit maximum, the worker must enter the maximum for that type of assistance in the bill check field and enter the total of Cooling Assistance and money from other sources used to alleviate the emergency amount in the total bill field. The Cooling Assistance system will generate a check for the bill check amount only. The total monies from other sources must be entered in the other paid field. The Cooling Assistance system maintains a history of total costs for each case.

Payment may be made directly to the client when no agreement exists for the electricity vendor serving the customer who has a window air conditioner, central air conditioning unit or heat pump. See requirements for direct pay in Chapter D.8.b. or see requirements for local checks in [Chapter E.9.b.](#) In order to issue a check to the household, the LDSS must enter payment information at time of case approval.

If a visit is made by a vendor and no work is performed, the vendor may assess a trip charge not to

exceed \$50.00. The type of assistance must be changed in the Cooling Assistance system before paying the trip charge. Check the Quick Reference Guide for instructions.

All vendor bills with accompanying signed credit authorizations for Cooling Assistance must be received in the LDSS by the date specified by Home Office. Home Office will advise by broadcast of the last day that payment data can be entered in the system.

10. COOLING ALLOCATIONS

There is no set allocation of Cooling Assistance funds for each LDSS. Funds will be held in a pool with all LDSS drawing from that pool until funds are depleted or the program ends. This process is identical to the handling of funds for the Crisis Assistance component.

11. CHANGES

The policies in [Chapter D.9](#) regarding changes in household situations apply to the Cooling Assistance component.

12. APPEALS

The appeal procedures in [Chapter F](#) will be used for Cooling Assistance applicants who are denied assistance except that the LDSS must schedule a conference within ten working days from the date of the request, unless the household requests that the conference be scheduled later.

13. SELLING FOR PROFIT

An eligible household who is found to have sold or is selling for profit merchandise purchased by the EAP will be ineligible to receive further assistance for the remainder of the program year, which is October-September.