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FYI

Becoming Homeless for the Purpose of Receiving EA

Advocates have raised concerns that EA regulation 106 CMR 309.040(B)(1) is being applied incorrectly, resulting in inappropriate shelter denials. This regulation requires denial of an EA shelter application if the AU became homeless for the purpose of making itself eligible for EA. The rationale behind this regulation is to prevent fraud by individuals who render themselves homeless to receive cost-free housing or (more commonly, some believe they will receive preference for housing subsidies if they are considered “homeless”).

For this regulation to apply, you must show two things:

- 1) the AU became homeless (i.e., has no feasible alternative housing); and
- 2) the AU did so for the purpose of receiving EA shelter benefits.

Because the subjective intent of the applicant is at issue (i.e., did the AU “purposefully” become homeless to receive shelter benefits), it is often hard to prove that the regulation applies. If you suspect that the regulation may apply, you must first be able to show that the applicant knew about EA. Always ask how an applicant found out about the EA program. If he or she did not know about the program prior to becoming homeless, this regulation simply will not apply.

If you can show that the applicant did know about EA, then you must determine whether the AU became homeless for the specific purpose of receiving EA shelter. A parent who voluntarily left a housing arrangement because of domestic violence, poor conditions, medical issues or a rent increase has not rendered themselves

homeless for the purpose of receiving EA, even if they knew about the EA program. If you think that these alleged motivations are merely a pretext, however, you should ask for supporting documentation/verification.

Moreover, if an individual appears to have shown extremely poor judgment by leaving a previously available living arrangement to move to Massachusetts (or even by leaving previously available housing within Massachusetts) without a sufficient plan for housing, this situation would not fall under this regulation, if you are unable to show that the intention to reside in EA shelter motivated the AU to leave its previous housing.

It should be recognized, however, that a caseworker can draw inferences from a person’s behavior. For example, a former EA recipient (who therefore knew about EA) applies for shelter immediately after leaving her New York apartment and claims that the only reason she left was that she was behind in rent. You call the landlord and find out that there was, in fact, no rent arrearage. Thus, it could logically be inferred that she left her apartment for the specific reason of becoming eligible for EA. In drawing inferences, you

should look at the individual's past shelter history, the timing of the application (the closer the EA application is to when they became homeless, the more likely the regulation would apply) and determine if there is support for the individual's stated rationale.

FYI

Changes to DTA Online

DTA Online has been updated with the following changes:

- The "Latest News" option on the first page displays current information that is of interest and importance to Department staff. Check this option for updated information. Two memos have been added:
- *Memo from Commissioner Wagner: Governor Romney's Welfare Reform Legislation;* and
- *Memo from Commissioner Wagner: Jim Reen Announcement.*
- A new Job Aide has been added to Training Online: *Helpful Hints for Telephone Interviews* was developed by Food Stamp trainers to help AU Managers prepare for and conduct telephone interviews.

FYI

Updates to the EOHHS mass.gov DTA Homepage

The EOHHS mass.gov DTA Homepage (*DTA Internet Site*) has been updated with the following changes:

NEWS AND UPDATES

- A link to the press release entitled *Romney Files Legislation to Lift Families from Poverty* has been added to the page.
- A link entitled "*Commissioner Wagner's Remarks and Pictures*" has been added to the press release entitled *Pioneer Institute Recognizes State's Work for the Homeless*. When the link is selected, the text of Commissioner Wagner's statement and pictures taken at the presentation will be displayed.

RELATED LINKS – WELFARE REFORM

The link titled: *Governor Romney's Welfare Reform Press Release and Proposal* displays links to the Welfare Reform Press Release and an updated PowerPoint Presentation on Governor Romney's Welfare Reform Proposal.

- *Governor Romney's Welfare Reform Press Conference*

The text of the Press Conference and a picture taken at the Press Conference will be displayed.

- *Governor Romney's Welfare Reform Proposal*

The details of Governor Romney's Welfare Reform Proposal will be displayed. The proposal compares the proposed policy changes to current policy.

FYI

Recipient Mailings for the Summer Food Service Program

In July, the Department sent a notice to all active TAFDC, EAEDC and NPA food stamp recipients who have a dependent child and live in a community participating in the Summer Food Service Program (approximately 50 communities statewide). The purpose of this mailing is to offer children age 18 and under food at no cost served at a designated community site during the summer. The letter will list the sites available in the area covered by the recipient's ZIP code. Recipients will be encouraged to call Project Bread's toll-free number (1-800-645-8333) if they have questions, or to visit the web site at www.meals4kids.org for information.