

STATE OF VERMONT
HUMAN SERVICES BOARD

In re) Fair Hearing No. 16,833
)
Appeal of)

INTRODUCTION

The petitioner appeals the decision by the Department of PATH denying her application for Supplemental Fuel Assistance. The issue is whether the petitioner's income exceeds the program maximum.

FINDINGS OF FACT

1. The petitioner lives alone and receives Social Security benefits of \$1,249 a month. She applied for fuel assistance on October 18, 2000.
2. The Department denied her application based on excess income. The only adjustment to the petitioner's gross income the Department allowed was an elderly/disabled deduction of \$150.
3. The petitioner feels her monthly expenses for rent, medical, utility, and other household expenses should also be taken into consideration.

ORDER

The Department's decision is affirmed.

REASONS

The maximum gross income under the program for a single-person household is \$870 per month. See Procedures Manual § P-2905 B. Households are allowed a deduction from gross income of \$150 for each household member who is elderly or disabled. WAM § 2904.3. No deductions are allowed for a household's shelter and medical expenses, and the petitioner does not qualify for any other deductions (e.g., child care and employment expenses) listed in the regulations. Id. Even with the \$150 elderly/disabled deduction for the petitioner, her income is in excess of the program maximum.

Inasmuch as the Department's decision was in accord with the pertinent regulations, the Board is bound by law to affirm. 3 V.S.A. § 3091(d) and Fair Hearing Rule No. 17.

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