

STATE OF VERMONT
HUMAN SERVICES BOARD

In re) Fair Hearing No. 18,631
)
Appeal of)

INTRODUCTION

The petitioner appeals the decision by the Department of Prevention, Assistance, Transition, and Health Access (PATH) denying her application for Food Stamps. The issue is whether the petitioner's gross monthly income is in excess of the program maximum. The facts are not in dispute.

FINDINGS OF FACT

1. The petitioner lives by herself and has gross monthly income from employment of at least \$986 a month.
2. The petitioner applied for Food Stamps on July 14, 2003. On August 10, 2003 the Department notified her that her application was denied because her income was in excess of the gross income test for a single-person household.

ORDER

The Department's decision is affirmed.

REASONS

Under the Food Stamp Regulations a household without an elderly or disabled member must meet an initial gross income test of eligibility, which is 130 percent of federal income poverty levels. FSM § 273.9(a). As of October 1, 2002, that

gross income test for a single person household is \$960 a month. Procedures Manual § P-2590 C.

When explained the basis of the Department's determination at the hearing (held on September 7, 2003), the petitioner did not dispute the income figures used by the Department. In fact, she admitted that her wages have recently increased. Inasmuch as the Department's decision appears to be in accord with the pertinent regulations it must be affirmed. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

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