

STATE OF VERMONT

HUMAN SERVICES BOARD

In re ) Fair Hearing No. 18,822  
 )  
Appeal of )  
 )

INTRODUCTION

The petitioner appeals the decision by the Department of Prevention, Assistance, Transition, and Health Access (PATH) denying his application for Emergency Assistance (EA) and General Assistance (GA) benefits for back rent. The issue is whether the petitioner meets the categorical eligibility requirements for the EA program, and whether he was facing an emergency need within the meaning of the GA regulations.

FINDINGS OF FACT

1. The petitioner is a single man living alone who currently has no income due to medical problems which have prevented him from working.

2. The petitioner applied for EA and GA in December 2003 for back rent, which the Department denied because the petitioner has no minor children. The petitioner represents that his landlord would not accept "welfare payments" for his current rent. It appears that the petitioner has been found eligible for GA to meet at least some other emergency needs.

3. At the hearing in this matter (March 3, 2004, 2003) the petitioner alleged that he was recently served with a legal eviction complaint. He was advised to reapply for (GA) if he feels he is facing an imminent loss of housing.

ORDER

The Department's decisions is affirmed.

REASONS

Emergency Assistance (EA) is payable only to households "on behalf of a needy child under the age of 21". W.A.M. § 2800. Inasmuch as the petitioner does not have such a child in his household he cannot be eligible for EA.

Unlike EA, the General Assistance (GA) program is entirely state funded and administered. See 33 V.S.A. §§ 2101 *et seq.* However (also unlike EA), GA is not available to cover back rent. W.A.M. § 2613.1.

As noted above, the petitioner is free to reapply for GA if and when he should find himself facing an imminent loss of housing, or any other emergency defined by the regulations. However, it must be concluded that the Department's decisions in this matter in December 2003 were in accord with its regulations and must, therefore, be affirmed. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

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