



4. The petitioner appealed that decision because after she applied, her income went down. In the meantime she has reapplied again.

ORDER

The decision of DCF is affirmed.

REASONS

The VHAP regulations count all gross income from employment when considering eligibility. VHAP 4001.81(c). This gross income is subjected to a standard employment expense deduction of \$90 per month. The net is used to determine eligibility by comparing the figure to a maximum for the household size. VHAP 4001.84. If the income is not under that maximum amount the individual is considered to have no financial need and is ineligible for VHAP.

The petitioner's countable income was correctly determined to be \$1,211.50 per month (\$1,301.50 gross income minus \$90 standard employment expense). The maximum in the VHAP program for an individual is \$1,164 per month. P-2420B. Since the petitioner's income is in excess of the maximum, she cannot be eligible for the VHAP program. As DCF's decision is in accord with its regulations, the Board is bound to uphold the result. Fair Hearing Rule 17, 3 V.S.A. § 3091(d). The

petitioner is advised again that anytime her income falls below the \$1,164 figure after the \$90 deduction, she may again be eligible for benefits and should reapply.

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