



FAMILY INDEPENDENCE ADMINISTRATION

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POLICY DIRECTIVE #12-06-ELI *(This Policy Directive Replaces PD #10-10-ELI)*

FAMILY EVICTION PREVENTION SUPPLEMENT (FEPS)

Date: March 13, 2012	Subtopic(s): Shelter Supplement
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AUDIENCE The instructions in this policy directive are for staff in Job Centers, the Special Project Center (SPC) and are informational for all other staff.

REVISIONS TO THE PRIOR DIRECTIVE

This policy directive has been revised to inform staff that the:

- Family Eviction Prevention Supplement (FEPS) applications from Melrose, Crotona, and Fordham Job Centers filed through BronxWorks will be processed by the Special Projects Center (SPC). The Homeless Diversion Unit (HDU) will refer FEPS applicants to BronxWorks.
- FEPS eligibility will end for a family (6) months after entry into a shelter.
- Instructions on sanctions concerning FEPS applicants/recipients have been revised.
- Information on FEPS and Jiggetts/Temporary Shelter Supplement (TSS) and Other Supplement Program Cases has been removed.
- Information on the modification of the FEPS subsidy has been revised.
- Instruction on completing the **Child** Indicator field in the **Household/Suffix Financial Needs** screen has been added.
- Instructions on the removal of the FEPS subsidy from households with a sanctioned individual have been removed.
- Instructions on the restoration of FEPS have been revised.

HAVE QUESTIONS ABOUT THIS PROCEDURE?
Call 718-557-1313 then press 3 at the prompt followed by 1 or
send an e-mail to *FIA Call Center Fax* or fax to: (917) 639-0298

POLICY

FEPS program is a shelter supplement designed to assist families with children in maintaining permanent housing by issuing them a shelter supplement in addition to the Cash Assistance (CA) shelter amount.

BACKGROUND

Applicants/participants with a court proceeding concerning the nonpayment of rent can apply for FEPS through a New York State Office of Temporary and Disability Assistance (OTDA) authorized community-based organization (CBO), the Legal Aid Society, or a Legal Services preparer.

The requirement of a court action for FEPS eligibility can be met if a tenant is served as part of a foreclosure action with a notice of possession (or writ of assistance), or if there is a judgment of foreclosure or a notice of petition and holdover.

The requirement of a court action for FEPS eligibility is also met if the tenant can document the existence of a court-ordered or City agency vacate order for reasons of health or safety that is applicable to the tenant's building or apartment.

However, if the tenant wants to remain in the apartment despite a vacate order, he/she should be referred to a legal services provider to see if litigation can be pursued to make the unit or building habitable.

FEPS Application Process

To apply for FEPS, an applicant/participant must have a FEPS application completed by an OTDA-authorized CBO, Legal Aid, or Legal Services preparer who will send the application and all supporting documentation to OTDA for review. An applicant/participant can contact the CBO in person or get a referral from a Job Center or the Housing Court Liaison.

OTDA will make a decision on the FEPS application and notify the authorized FEPS preparer and the applicant/participant of the decision.

In instances in which OTDA approves the FEPS application, the authorized FEPS preparer will contact the local Job Center's FEPS Liaison and send him/her the FEPS approval letter. Upon receipt of the FEPS approval letter from the authorized preparer, the Liaison will process the FEPS approval.

New Information

Refer to [PB #12-16-OPE](#)
BronxWorks Move.

Note: FEPS applications from Melrose, Crotona, and Fordham Job Centers filed through BronxWorks will be processed by the Special Projects Center (SPC). The Homeless Diversion Unit (HDU) will refer FEPS applicants to BronxWorks.

The \$7,000 arrears maximum is per FEPS application.

If approved for FEPS, the household can receive arrears payments for up to \$7,000. The household will then receive, on a recurring basis, a shelter supplement in addition to the CA shelter amount for the family size. FEPS will last for up to five years, starting when the FEPS application is approved, (with the possibility of an extension for good cause) as long as the household maintains FEPS eligibility. Prior arrears payments do not count against the five-year FEPS eligibility maximum.

Note: The \$7,000 limit for rent arrears can be increased for documented extenuating circumstances. Extenuating circumstances may include the presence of specific at-risk factors, such as the need to retain current housing for medical reasons or because of ties to the neighborhood (e.g., child enrolled in special educational program) that would make relocation a hardship, the desirability of retaining affordable housing, and the length of stay in current housing. This determination will be done on a case-by-case basis.

Eligibility Criteria

To be eligible for FEPS, the applicant/participant must be eligible for CA and:

- have a child age 18 or under in the household (or 18 and a full-time student);
- have a court proceeding concerning the nonpayment of rent, foreclosure proceeding, or court-ordered or City agency vacate order;

Note: A family that is evicted or vacates an apartment as a result of a court proceeding and that qualifies for FEPS will remain eligible for FEPS for one year from the date of eviction, provided all other FEPS eligibility requirements are met at the time of application for FEPS. However, if the family enters the shelter system, FEPS eligibility will end in any event six (6) months after entry into the shelter.

Revised

- be the tenant of record and have a lease for the housing or obtain a written agreement to stay for at least one year if the tenancy is not covered by rent regulation (i.e., non-regulated private housing);

- apply for Section 8 assistance, if available, and take the benefit, if offered; and
- provide appropriate documentation to indicate his/her eligibility for the supplement.

Holdover proceeding

FEPS may be available for a move in a “holdover case,” in which the court proceeding is not specifically an action for eviction for nonpayment of rent but the landlord is demanding possession of the apartment for other reasons and is also claiming rent arrears. If the applicant’s/participant’s request for FEPS involves excess rent (i.e., rent above the shelter allowance), a FEPS application can be approved on a case-by-case basis, provided all other eligibility criteria are met.

Grant Diversion and Parks Program participants not eligible for FEPS

Due to budgeting restrictions, a participant cannot participate in a subsidized jobs program (i.e. Parks, Grant Diversion, TEAP, etc.) and FEPS at the same time. Therefore, these participants will be able to opt out of their assignments in order to receive FEPS. A FEPS approval must be received prior to taking the participant out of the subsidized job assignment.

Maximum FEPS Subsidy and Maximum Rent Levels

(CA Shelter Maximum + FEPS = Maximum Shelter Allowance)

Maximum Shelter Expense with Excess Rent based on household size

Household Size	CA Shelter Maximum*	FEP Supplement	Maximum Shelter Allowance	Max. Shelter Expense with Excess Rent***
1	\$277	\$373	\$650	\$800
2	\$283	\$467	\$750	\$900
3	\$400	\$450	\$850	\$1,050
4	\$450	\$450	\$900	\$1,100
5	\$501	\$499	\$1,000	\$1,250
6	\$524	\$526	\$1,050	\$1,350
7	\$546	\$554	\$1,100	\$1,400
8**	\$546	\$654	\$1,200	\$1,500

* Shelter with Children Rate

** Add \$50 FEPS for each additional household member; e.g. for a household of 9, the CA Shelter Maximum remains \$546, the FEPS is \$704, the Maximum Shelter Allowance is \$1250 and the Max. Shelter Expense is \$1550.

*** FEPS household can have excess rent \$150-\$300 above the maximum shelter allowance, depending on the household’s size.

Determining Maximum Shelter with Excess Rent

The maximum a participant may pay in rent in order to be eligible for FEPS (Max. Shelter Expense with Excess Rent column) is based on the CA household size.

The household's actual rent may exceed the maximum shelter allowance for the family size by up to \$150 for a household of 1 or 2, up to \$200 for a household of 3 or 4, up to \$250 for a household of 5, and up to \$300 for a household of 6 or more. The household is expected to pay these additional amounts from any combination of a food & other grant, child support, other household income, and third party assistance.

Additionally, if the household has a Non-Cash Assistance (NCA) member with income, the shelter expense with excess rent should be calculated as if the NCA member were part of the CA household. For example, if the household consists of two CA members and one NCA member with \$650 of Supplemental Security Income (SSI), the household can have rent of \$1,050, which is the maximum shelter expense with excess rent for a FEPS household of three. However, the maximum FEPS payment will be for the household of two (\$750). The entire household, including any NCA individuals, is responsible for paying the excess rent.

NCA Household Members

Family contributions

If there is a NCA individual with income residing in the household, the individual will be responsible for contributing a pro rata share of the actual rent or 30 percent of his/her gross income, whichever is less. This applies, for example, to individuals who are receiving SSI.

Allen budgeting is used when dealing with ineligible members of a household. (Refer to PA Budgeting Manual)

Note: The requirements for NCA members of the household do not apply to ineligible noncitizens. In the case of ineligible noncitizens who have income that must be budgeted in accordance with Allen budgeting, the maximum shelter expense with excess rent can be calculated as if the ineligible noncitizen were part of the CA household. However, the maximum FEP supplement is determined by not including the ineligible noncitizen as part of the household.

Example:

A household of 4 (1 of the members is an ineligible noncitizen):

- Maximum shelter expense with excess rent: \$1,100 (based on a household size of 4)
- FEP supplement: \$450 (based on a household size of 3 – excluding the noncitizen)

In this example, the household can choose to reside somewhere up to the maximum for a four-person household, while their FEP supplement is calculated based on a three-person household, because of the one ineligible noncitizen household member.

If the NCA individual claims to have no income, he/she must first apply for CA before FEPS can be authorized.

Revised

Sanctions

FEPS will remain when SN person in the household exists.

FEPS supplements will remain on cases but will be reduced if an individual in the household is sanctioned. The household will not lose FEPS when someone is in sanction status or income source code **44** (PA/Budget Reduction – PA Budget Deficit is Reduced due to Non-Compliance with IV-D Requirements for Recipient or Re-Applying Households) or **45** (PA Budget Reduction – PA Budget Deficit is Reduced due to Non-Compliance with IV-D Requirements for Applicant Households) is present on the budget.

Sanction methodology

The sanction methodology that is applied to the case will also be applied to the FEPS supplement. For example, a 25% sanction reduction is applied to the FEPS supplement on an OCSE sanction case and pro rata sanctions are applied to the FEPS supplement on an Employment sanction case.

Sanctions/FEPS applicants

Families applying for FEPS must resolve any sanction issues to become initially eligible for FEPS.

Revised

Modifications

Increases in FEPS

After FEPS has been authorized, the household’s shelter expense may increase for that household, up to the maximum shelter expense with excess rent for that family size, provided that the increase is allowable and documented in the applicant’s/participant’s lease or rental agreement.

Modifications in rent that affect the amount of the FEPS supplement must be sent to OTDA by the FEPS preparer for approval and approved by OTDA through the FEPS modification process. All rent increases and changes in household income and composition must be reported to OTDA in a timely manner (10 business days).

Example:

A family of 3 was approved for FEPS with \$800 per month in rent. After two years, the landlord increases the household’s rent to \$900 monthly.

The participant must inform OTDA through an authorized FEPS provider of the increase in rent because it will result in an increase in the FEPS rent to \$850.

Note: For FEPS modification approval, increases in rent must be reported timely (10 business days). OTDA will not pay the FEPS increase retroactively.

If the rent for the family of 3 was approved at \$1050 (Max shelter expense with a \$200 excess) and the family is receiving \$850 through FEPS (Max shelter allowance), a subsequent increase in rent would not need to be reported for *OTDA FEPS modification approval* as it does not affect the shelter allowance or the FEPS subsidy amount. The only change would be in the difference the household is required to contribute to cover the remainder above the maximum shelter allowance.

Note:

Applicants/Participants are still required to report rent changes within 10 business days to the agency.

Note: If the participant is receiving the maximum CA Shelter Allowance and the maximum FEPS amount, an increase in the overall shelter expense will only affect his/her out of pocket expenses.

Change of Residence

A family that is receiving FEPS can move to a new apartment and continue in FEPS if the move is due to:

- the family's being unable to pay the non-CA portion of the rent due to changes in family composition, family income, third party contributions, or rent increases;
- a court-ordered vacate notice; or
- documented health and safety or other compelling reasons, as determined by OTDA.

In order for FEPS to continue, OTDA must approve the move in advance.


REQUIRED ACTION

FEPS Referrals

Applicant/participant comes to Job Center to apply for FEPS

If an applicant/participant comes to the Job Center to report rent arrears and/or apply for aid relating to rent arrears, the JOS/Worker must complete an In-Center Referral on the **Action** tab of the **Activities Management** screen in POS to send the applicant/participant to the Homelessness Diversion Unit (HDU).

The JOS/Worker must:

- Select **In-Center Referral** on the **Action** Queue and click **Start**.
- Select **Change Case Data** for participants and **Non-Food Emergency/Special** Grant for applicants on the **Select Activity** window.
- Enter a case comment for all actions performed on a case by clicking on the case comments icon  or type <ALT>M on the keyboard.

After meeting with the applicant/participant, the HDU Worker will enter code **164A** (Refer to CBO for FEPS) in NYCWAY and will refer him/her to an authorized FEPS preparer.

FEPS Approval

Upon receipt of the FEPS approval letter, the Job Center FEPS Liaison must:

Refer to the [Worker's Guide to Codes manual](#)

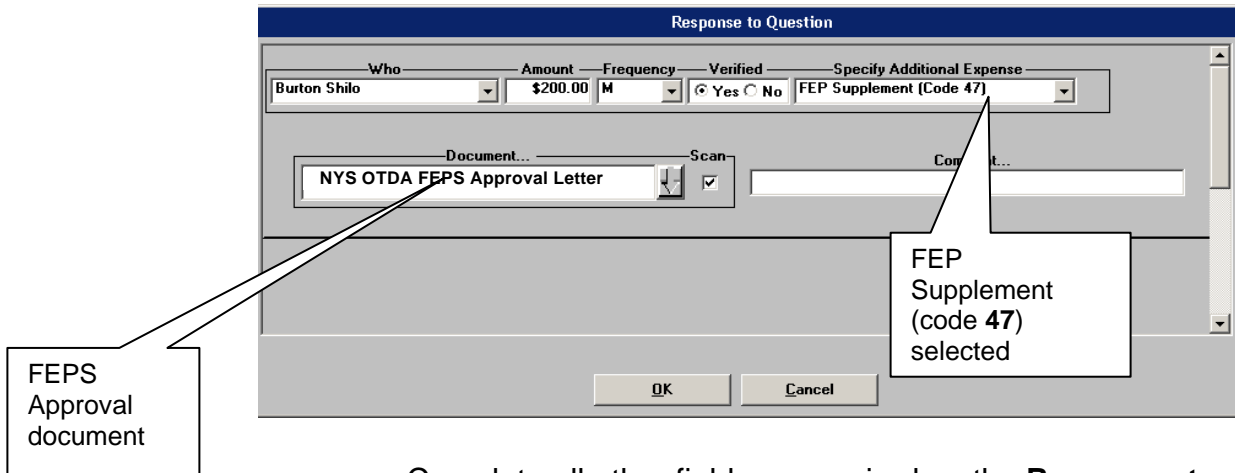
For FEPS cases do not use code **31** (Pre-CA Rent Arrears) to issue rent arrears for applicants.

- issue a Direct Vendor E-check for the approved arrears amount and period as indicated on Item **4** of the FEPS approval letter (see **Attachment A**). Use special grant **W5** (Recoupable) and/or **W6** (Non-Recoupable) for rent arrears. The FEPS approval letter will indicate whether the arrears are recoupable or not.
- arrange for the Direct Vendor rent checks to be delivered to the authorized FEPS preparer, the Housing Court, or to be picked up by the landlord.

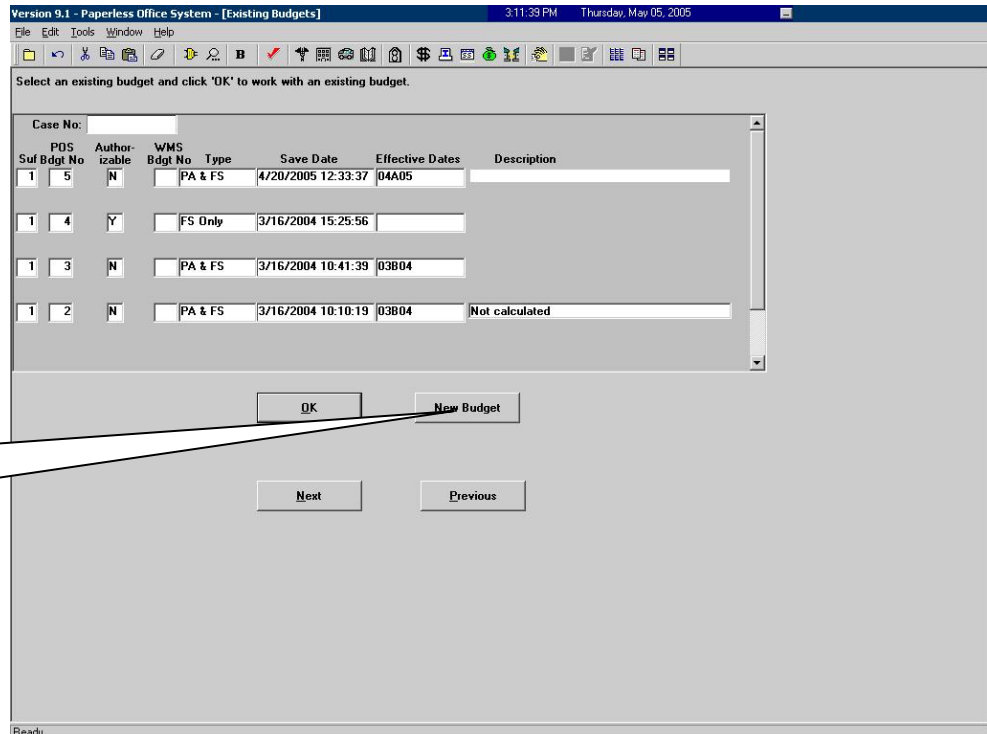
Note: Participants in a subsidized job and approved for FEPS must be immediately taken out of the subsidized job and given a new assignment.

- complete the questions in the **Shelter** window with current shelter information, including shelter type and actual shelter amount:

- Answer “Yes” to the **Has Additional Expenses? Specify** question in the **Other Expenses** window:
 - In the **Specify Additional Expense** drop-down in the **Response to Question** window, select **FEP Supplement (code 47)** and complete the fields in the **Response to Question** window.
 - Select **FEPS Approval Letter** from the **Document** drop-down box.



- Complete all other fields as required on the **Response to Question** window.
 - Click **OK** to save the responses.
- After closing the **Response to Question** window, the **Has Additional Expense? Specify** window will reappear.
 - Access the **Screen Picklist** to go to the **Budget** window by:
 - Clicking **Window** then **Screens**, or
 - Pressing <F12> on the keyboard.
 - Select **Budgets** to go to the **Existing Budget** window.

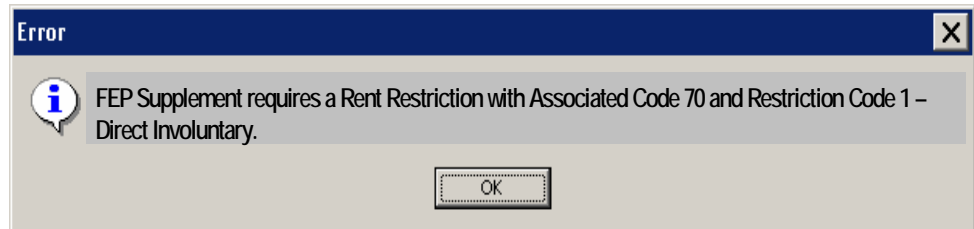


Click on New Budget to go to the Budget window.

- On the **Existing Budget** window, click **New Budget** to go to the **Budget** window.

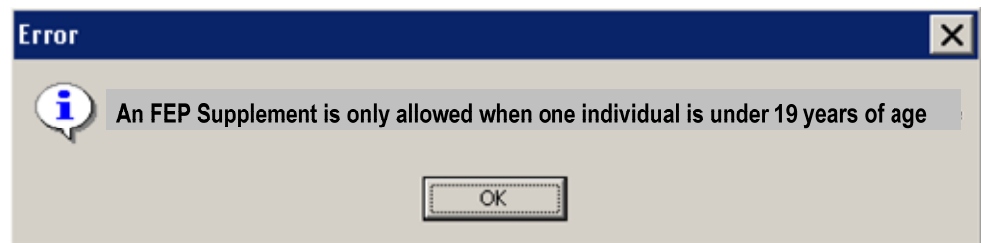
Edits on budget window

If the case is eligible for the additional needs type code **47** (FEP Supplement), but a restriction type of **1 – Direct Voluntary** is not selected, the following error message appears:



If additional needs type code **47** (FEP Supplement) is selected, but there is no individual under the age of 19 on the CA or FS case, the following error message appears:

The household composition will have to be corrected to prevent this error from reappearing.



Click **OK** to remove the error message and ensure that the shelter allowance is placed under Direct Vendor rent restriction and that the CA or FS household has at least one person under the age of 19 before continuing with the budgeting process.

Household/Suffix Financial Needs screen

Enter the Food Stamp shelter amount (Item 8 on the FEPS approval letter).

Complete the fields in the Restriction section to restrict the rent.

Enter the CA Shelter amount (Item 1 on the FEPS approval letter).

Click the Income or Results button to continue.

The screenshot shows the 'Household/Suffix Financial Needs' screen in a software application. The interface includes a menu bar (File, Edit, Tools, Window, Help), a toolbar, and several data entry sections. Key sections include:

- Client Information:** Center Worker Name, Case No, Suffix, Client Name (TON SHILO), Effective Dates (05A05-), Budget Type (PA & FS).
- Shelter Type:** Unfurnished Apartment or Room, Amount (\$600.00), Period (Monthly), Water Amount, Period, No.LRR, Proration.
- Utilities Allowances:** 1. FSUA, 2. FSUT, 3. Phone, Installation, 4. Garbage Disposal.
- Food Stamp Program:** Suffix (1), Status (ACTIVE), No. in FS Hh (2), FS Routing, Catg. Eligibility.
- Public Assistance:** Suffix (1), Type (SNCA), Status (ACTIVE), No. in PA (2), Fuel (absent from home), PA Shelter (\$600.00), Total Resources (\$0.00).
- Additional Needs:** Suffix (1), Type (Recurring Rent Supplement), Amount (\$200.00), Period (Monthly).
- Restrictions:** Suffix (1), Type (Direct Vendor), what (Shelter), Sent to: Hays Realty, 200 Main Street, New York, NY 10036.
- Buttons:** Income or Results, Budgeting Budgets.

Callout boxes provide instructions for various fields:

- Enter X if there is a child in the household that is not active for CA, or if the youngest child is 18 yrs old. (Points to No.LRR field)
- Enter supplement amount (Item 4 on the FEPS approval letter). (Points to Recurring Rent Supplement amount)
- Additional Needs section (Points to the Additional Needs table)

- Create a new budget in the **Budget** window. POS will carry over the information from the **Shelter** and **Other Expenses** windows.
- Using the FEPS approval letter, enter the shelter and supplement amounts on the **Household/Suffix Financial Needs** screen as follows:
 - In the **Amount** field, enter the Food Stamp shelter amount (item 8 on the FEPS approval letter), which is calculated by deducting the supplement amount (Item 4 on the FEPS approval letter) from the total shelter amount (Item 7 on the FEPS approval letter).
 - Enter the CA shelter amount (Item 1 on the FEPS approval letter) in the **CA Shelter** field.
 - In the Additional Needs section, verify that additional needs type code 47 (FEP Supplement) is selected and enter the supplement amount (Item 4 on the FEPS approval letter).

- Restrict the rent by:
 - entering the suffix number;
 - selecting **Direct Voluntary** from the **Type** drop-down menu;
 - selecting **Shelter** from the **What** drop-down menu; and
 - entering the landlord information in the **Sent to** fields.
- Click the **Income or Results** button to continue with the other budgeting screens.
- Authorize the budget on the POS TAD.

If the case is a multisuffix case, the budget must be done in WMS as follows:

- Enter a proration indicator of **N** (All CA Suffixes Receive an Unprorated CA Shelter Allowance – Emergency Housing Situation – Each Suffix Receives Prorated Basic and Home Energy Allowances) or **S** (All CA Suffixes Receive a Prorated Shelter Allowance and Full Basic and Home Energy Allowance) in the **PRO Ind** field of the **NSBL02** screen.
- Enter actual shelter amount (minus FEPS) in the **FS Shelter Amt** field (Line 8 of FEPS approval letter).
- Enter the maximum CA shelter amount for each suffix in the **PA Shelter** field.
- Add the **PA Shelter** field for all suffixes and subtract the amount from the actual rent. The result is entered as the FEP Supplement amount.
- Enter additional needs type Code **47** in the **Additional needs type** field and the supplement amount in the **Amount** field on the line of the suffix receiving the FEP supplement.
- Enter the Budget number on the TAD.

Multisuffix cases will have to be budgeted directly in WMS, as POS does not support multisuffix case actions.

For FEPS multisuffix cases, a proration indicator of **N** or **S** is required even when there are legal lines of responsibility between the two suffixes (e.g. FA children on suffix 1 and SNA noncitizen mother on suffix 2).

Each suffix is entitled to the maximum CA shelter allowance for that suffix size. The FEP supplement is the difference between the actual shelter cost and the total CA shelter for both suffixes. As a result, the FEP supplement for a multisuffix household will be less than what is indicated on the FEPS Approval Letter. For all multisuffix cases, the FEP supplement covers the full shelter cost minus the CA shelter maximum.

Example:

Actual Shelter Expense: **\$1,000**

Suffix 1: 2 FA children maximum CA shelter amount **\$283** +

Suffix 2: 1 SNA adult maximum CA shelter amount **\$277** =

Total CA shelter amount **\$560**

\$1,000 actual shelter expense - **\$560** (total CA shelter amount) =
\$440 FEP Supplement

Note: If FEPS is being entered on a multisuffix case, only one suffix can receive the supplement and a proration indicator of **N** or **S** will be required.

After the case has been budgeted, a Client Notice System (CNS) notice will be generated and sent to the participant informing him/her of the change in his/her grant. For applicants, if the CNS Notice is suppressed, the Action Taken On Your Application (**LDSS-4013A NYC/LDSS-4013B NYC**) must be prepared and sent to the applicant advising him/her of the action taken on his/her case.

- Enter Action Code **164B** (FEPS Approved) in NYCWAY to indicate the FEPS approval has been processed.

Revised

Restoration of FEPS

A participant who has left CA due to excess income or had his/her case closed for other reasons can have his/her FEPS restored, without needing to have a court proceeding, if he/she resides at the same address as at the time of the case closing and if:

- his/her CA case is reopened within 12 months after it was closed due to excess earnings;
- the noncompliant individual on the CA case regains eligibility within twelve months; or
- a closed CA case (closed for reasons other than excess income) is reopened within twelve months.

In each of these instances, a FEPS application must be submitted by an authorized FEPS preparer to OTDA.

Note that in addition to this restoration of FEPS, a family that is evicted or vacates an apartment as a result of a court proceeding and that qualifies for FEPS will remain eligible for FEPS for one year from the date of eviction, provided all other FEPS eligibility requirements are met at the time of applying for FEPS. However, if the family enters the shelter system, FEPS eligibility will end in any event six (6) months after entry into the shelter.

Revised

PROGRAM IMPLICATIONS

Paperless Office System (POS) Implications

Code **47** (FEP Supplement) is available in POS and has been added to the **Has Additional Expenses? Specify** window to accommodate this supplement.

Code **W5** (Supplement FEPS rent arrears [recoupable]), and Code **W6** (Supplement FEPS rent arrears [non-recoupable]) have been added to the **Grants Data Entry** window to accommodate this supplement.

The New York State OTDA FEPS Approval Letter has been added to the **Document** drop-down menu.

Food Stamp Implications

FEPS will not be counted as income for Food Stamp purposes, therefore the actual shelter amount entered on the budget must not include the FEPS supplement amount.

Medicaid Implications

The receipt of FEPS does not affect Medicaid eligibility.

LIMITED ENGLISH PROFICIENT (LEP) and HEARING IMPAIRED IMPLICATIONS

For Limited English Proficient (LEP) applicants/participants, make sure to obtain appropriate interpreter services in accordance with [Policy Directive #11-33-OPE](#). Hearing Impaired applicants/participants should obtain appropriate services in accordance with [Policy Directive #08-20-OPE](#).

FAIR HEARING IMPLICATIONS

Avoidance/ Resolution

Ensure that all case actions are processed in accordance with current procedures and that electronic case files are kept up to date. Remember that applicants/participants must receive either adequate or timely and adequate notification of all actions taken on their case.

Conferences

An applicant/participant can request and receive a conference with a Fair Hearing and Conference (FH&C) AJOS/Supervisor I at any time. If an applicant/participant comes to the Job Center requesting a conference, the Receptionist must alert the FH&C Unit that the individual is waiting to be seen.

In Model Centers, the Receptionist at Main Reception will issue an FH&C ticket to the applicant/participant to route him/her to the FH&C Unit and does not need to verbally alert the FH&C Unit staff.

The FH&C AJOS/Supervisor I will listen to and evaluate any material presented by the applicant/participant, review the case file and discuss the issue(s) with the JOS/Worker responsible for the case and/or the JOS/Worker's Supervisor. The AJOS/Supervisor I will explain the reason for the Agency's action(s) to the applicant/participant.

If the determination is that the applicant/participant has presented good cause for the infraction or that the outstanding Notice of Intent needs to be withdrawn for other reasons, the FH&C AJOS/Supervisor I will settle in conference (SIC), enter detailed case notes in NYCWAY and forward all verifying documentation submitted by the applicant/participant to the appropriate JOS/Worker for corrective action to be taken. In addition, if the adverse case action still shows on the "Pending" (**08**) screen in WMS, the AJOS/Supervisor I must prepare and submit a Fair Hearing/Case Update Data Entry Form ([LDSS-3722](#)), change the **02** to an **01** if the case has been granted aid continuing (ATC), or prepare and submit a CA Recoupment Data Entry Form ([LDSS-3573](#)) to delete a recoupment. The AJOS/Supervisor I must complete a Conference Report ([M-186a](#)).

If the determination is that the applicant/participant has not shown good cause for the infraction or that the Agency's action(s) should stand, the AJOS/Supervisor I will explain to the applicant/participant why he/she cannot settle the issue(s) in conference (SIC). The AJOS/Supervisor I must complete an **M-186a**.


Should the applicant/participant elect to continue his/her appeal by requesting or proceeding to a Fair Hearing, already requested, the FH&C AJOS/Supervisor I is responsible for ensuring that further appeal is properly controlled and that appropriate follow-up action is taken in all phases of the Fair Hearing process.

Evidence Packets All Evidence Packets must contain a detailed history, copies of relevant WMS screen printouts, other documentation relevant to the action taken and copies of NYCWAY “Case Notes” screens.

REFERENCES NYS Shelter Supplement Proposal Family Eviction Prevention Supplement (FEPS)
03-ADM-07
18 NYCRR 352.3(a)(3)

RELATED ITEMS [PB #12-16-ELI](#)
[PD #12-03-SYS](#)

ATTACHMENT

 Please use Print on Demand to obtain copies of forms.

Attachment A Notification of Acceptance for a Family Evictions Prevention Supplement (Sample)

ATTACHMENT A



Andrew M. Cuomo
Governor

NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 NORTH PEARL STREET
ALBANY NEW YORK 12243-0001

NOTIFICATION OF ACCEPTANCE FOR A FAMILY EVICTION PREVENTION SUPPLEMENT

Client:	Case No:	Job Center:
Address:	Adults:	Children:

RENT SUMMARY

1. PA Shelter Amount (Shelter Schedule)	
2. Excess Rent from F&O (if applicable)	
3. Total of (1) + (2)* (PA Shelter)	
4. FEPS Supplement Amount (Code 47)	
5. Total Rent Payable by HRA = (3) + (4)*	
6. NPA Rent Contribution to Landlord:	
7. Total Stated Rent = (5) + (6)	
8. Actual Rent (FS Shelter) (7 - 4)	

ARREARS SUMMARY

Arrears Requested:	
Recoupable:	
State Dated Checks:	
Non-Recoupable:	
In excess of shelter Amt:	
Prior to Application:	
Period Covered:	

*Excess rent amount in (2) to be paid directly to the Landlord by the FEPS recipient out of the F&O grant until restriction is implemented.

If the regular PA grant and/or F&O grant is not sufficient to allow for HRA payment of the total in (3) on account of other income of the FEPS recipient PA household, the FEPS recipient must make up the shortfall by direct payment to the landlord.

Dear :

This agency has reviewed your letter and agrees to provide the requested supplement (exclusive of any requested legal costs), summarized above, on condition that your client agrees to vendor or other restricted payment. The additional sums above the shelter allowances provided as "excess" are not subject to any current recoupments and may not be the subject of recoupment.

Please note that this approval is limited to the summarized facts and circumstances. Any change concerning the client's household composition, the rental unit's location, or the amount of the prospective rent or the requested arrears (except for an amount corresponding to rent accruing while the present request was pending) that increases the amount of rent supplement requested must be specifically approved. A copy of the Application must be submitted along with this letter to HRA for payment to be made.

Sincerely,

Phyllis Morris
Acting Deputy Commissioner
Center for Employment and Economic Supports