



OFFICE OF POLICY, PROCEDURES, AND TRAINING

POLICY BULLETIN #23-26-ELI

(This Policy Bulletin Replaces PB #23-23-ELI)

2022-2023 HOME ENERGY ASSISTANCE PROGRAM (HEAP) REVISED EMERGENCY COMPONENT CLOSING DATE

Date: May 3, 2023	Subtopic(s): HEAP
Revised	<p>Revisions to the Original Policy Bulletin:</p> <p>This policy bulletin is being revised to:</p> <ul style="list-style-type: none"> • Inform staff that the dates of operation for the Home Energy Assistance Program (HEAP) Emergency benefit component will be extended from April 28, 2023 to May 19, 2023, or until funds allocated to this component are exhausted, whichever comes first. <p>Purpose:</p> <p>The purpose of this policy bulletin is to inform Benefits Access Center (BAC), Non-Cash Assistance (NCA) Supplemental Nutrition Assistance Program (SNAP) Center, HIV/AIDS Services Administration (HASA) Center, and Home Energy Assistance Program (HEAP) staff that the dates for the Emergency benefit component has been extended from April 28, 2023, to May 19, 2023, or until funds allocated to this component are exhausted, whichever comes first. This policy bulletin is informational for all other staff.</p>
Revised	<p>Emergency Benefit Component Extension</p> <p>The Emergency benefit component is scheduled to operate through the close of business (COB) on May 19, 2023. Staff must continue to accept applications for first and second Emergency benefits through COB on May 19, 2023, unless the New York State Office of Temporary and Disability Assistance (OTDA) advises otherwise. Mail-in applications postmarked on or before the closing date meet the deadline and must be processed unless OTDA advises otherwise.</p>

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

Applications for Emergency HEAP benefits received after COB on May 19, 2023 must be denied in the HEAP system using code **22** (Your household's HEAP application was received after the program closing date for this HEAP year). ITS will generate and mail the HEAP Program Notice of Denial (**FIA-1230b**) to the applicant/participant.

The Regular benefit component closed on March 31, 2023. Households that applied for Emergency benefits after this date that did not receive a current program year Regular HEAP benefit must complete the HEAP Application ([LDSS-3421](#)) in addition to the Emergency Benefit Budget Worksheet ([LDSS-3594B](#)). Staff must assess the household for basic eligibility, but must not issue a Regular benefit for applications received after March 31, 2023.

Cash Assistance (CA) Implications

Staff must continue to explore the availability of, and individual eligibility for, Regular, first Emergency, and/or second Emergency HEAP benefits before issuing a Family Assistance (FA), Safety Net Assistance (SNA), Emergency Assistance to Needy Families with Children (EAF), Emergency Safety Net Assistance (ESNA) or Emergency Assistance for Adults (EAA) payment to meet a utility or non-utility energy emergency.

Effective Immediately

References:

[23 TA/DC034](#)
[New York State HEAP Manual](#)
[22-LCM-12](#)

Related Item:

[PD#21-01-ELI](#)

Attachment:

FIA-1230b HEAP Program Notice of Denial (Rev.1/5/2023)



Date: _____

Case Number: _____

Case Type: _____

HEAP PROGRAM NOTICE OF DENIAL

Your application for The Home Energy Assistance Program (HEAP) benefit is denied by NYC Human Resources Administration because:

SAMPLE

This decision is based on New York Social Services Law § 97, 18 N.Y.C.R.R. Part 393, and the current New York State HEAP State Plan. The State Plan is available online at the New York State Office of Temporary and Disability Assistance website <http://otda.ny.gov/programs/heap/stateplan.asp>.

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INCOME ELIGIBILITY GUIDELINES

Household Size	Tier I	Tier II
1	\$0 – \$1,472	\$1,473 – \$2,852
2	\$0 – \$1,983	\$1,984 – \$3,730
3	\$0 – \$2,494	\$2,495 – \$4,608
4	\$0 – \$3,006	\$3,007 – \$5,485
5	\$0 – \$3,517	\$3,518 – \$6,363
6	\$0 – \$4,028	\$4,029 – \$7,241
7	\$0 – \$4,540	\$4,541 – \$7,405
8	\$0 – \$5,051	\$5,052 – \$7,570
9	\$0 – \$5,562	\$5,563 – \$7,734
10	\$0 – \$6,074	\$6,075 – \$7,899
11	\$0 – \$6,585	\$6,586 – \$8,064
12	\$0 – \$7,096	\$7,097 – \$8,228
13	\$0 – \$7,608	\$7,609 – \$8,778
14+	+\$511 **	+\$590 **

SAMPLE

**YOU HAVE THE RIGHT TO APPEAL THIS DECISION.
 BE SURE TO READ THE CONFERENCE AND FAIR HEARING INFORMATION
 SECTION OF THIS NOTICE FOR HOW TO APPEAL THIS DECISION.**

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CONFERENCE AND FAIR HEARING INFORMATION

AGENCY CONFERENCE

If you think our decision is wrong, or if you do not understand our decision, please call us to set up a conference (a conference is an informal meeting or phone call with us). To do this, call **718-557-1399** or write to us at the address on page 1 of this notice. Sometimes this is the fastest way to solve a problem you may have. We encourage you to do this even if you have asked for a Fair Hearing. If you participate in a conference, you are still entitled to a Fair Hearing.

STATE FAIR HEARING

How to ask for a Fair Hearing: If you believe the decision(s) we are making is/are wrong, you may request a State Fair hearing by telephone, writing, fax, in person or online.

(1) TELEPHONE: Call **(800) 342-3334**. (Please have this notice in hand when you call.)

(2) ONLINE: Complete an online request form at:
<http://www.otda.ny.gov/oah/forms.asp>

(3) WRITE: Send a copy of the entire notice, with the "Fair Hearing Request" section completed, to:
**Office of Administrative Hearings
New York State Office of Temporary and Disability Assistance
P.O. Box 1930
Albany, NY 12201**
(Please keep a copy for yourself.)

(4) FAX: Fax a copy of the entire notice, with the "Fair Hearing Request" section completed, to: **(518) 473-6735**.

(5) IN PERSON: Bring a copy of this entire notice, with the "Fair Hearing Request" section completed, to the Office of Administrative Hearings, New York State Office of Temporary and Disability Assistance at **14 Boerum Place, Brooklyn NY 11201**.

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What to expect at a Fair Hearing: The state will send you a notice that tells you when and where the fair hearing will be held. At the hearing, you will have a chance to explain why you think our decision is wrong. To help explain your case, you can bring a lawyer and/or witness such as a relative or a friend to the hearing, and/or give the Hearing Officer any written documentation related to your case such as: a lease, bills, pay stubs, etc. If you cannot come yourself, you can send someone to represent you. If you are sending someone who is not a lawyer to the hearing instead of you, you must give that person a letter to show the Hearing Officer that you want that person to represent you. At the hearing, you, your lawyer or your representative can also ask questions of witnesses whom we bring, or you bring, to explain the case.

Legal Assistance: If you need free legal advice, you may be able to obtain such assistance by contacting your local Legal Aid Society or other legal advocate group. You may locate the nearest Legal Aid Society or advocate group by checking the Yellow Pages under "Lawyers".

ACCESS TO YOUR FILE AND COPIES OF DOCUMENTS: To help you get ready for the hearing, you have a right to look at your case files. If you call, write or fax us, we will send you free copies of the documents from your files, which we will give to the Hearing Officer at the Fair Hearing. Also, if you call, write or fax us, we will send you free copies of specific documents from your files which you think you may need to prepare for your Fair Hearing.

To ask for documents or to find out how to look at your file: call (718) 557-1399, fax (212) 620-5063 or write to **HRA/Home Energy Assistance Program, P.O. Box 1401, Church Street Station, New York, NY 10008**. If you want copies of documents from your case file, you should ask for them ahead of time. They will be provided to you within a reasonable time before the date of the hearing. Documents will be mailed to you only if you specifically ask that they be mailed.

In any request for documents, please provide the Case Name, Case Number and Date listed on Page # 1 of this notice.

AVAILABILITY OF POLICY MATERIALS: The New York State Office of Temporary and Disability Assistance (OTDA) and HRA policy issuances and manuals are available to you or your representative to determine whether a fair hearing should be requested or to prepare for a fair hearing. The Office of Temporary and Disability Assistance (OTDA) policy issuances and manuals are posted on the OTDA website at otda.ny.gov/legal. These issuances and manuals are available to you or your representative to determine whether a fair hearing should be requested or to prepare for a fair hearing. To request policy issuances and manuals, call (718) 722-5012, or fax (718) 722-5018, or email CRO@hra.nyc.gov, or write to **HRA Division of Fair Hearing, 14 Boerum Place, Brooklyn, New York 11201**.

FAIR HEARING REQUEST

Deadline: You have 60 days from the date of this notice to request a Fair Hearing.

If you cannot reach the New York State Office of Temporary and Disability Assistance by phone, by fax, in person or online, please write to ask for a Fair Hearing before the deadline.

I want a Fair Hearing. The Agency decision is wrong because:

SAMPLE

Print Name: _____ Case Number: _____

First Name _____ M.I. _____ Last Name _____ Center: _____

Address: _____ Telephone: _____

Street _____ Apartment _____

City _____ State _____ Zip Code _____

Signature: _____

Date: _____