

## **FAMILY INDEPENDENCE ADMINISTRATION**

Seth W. Diamond, Executive Deputy Commissioner



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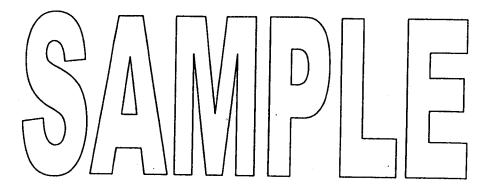
## **POLICY BULLETIN #04-129-OPE**

## **MCCAIN SETTLEMENT**

now be accessed on the FIAweb. th	Subtopic(s): Special Grant  The purpose of this policy bulletin is to inform Job Center staff that he fines imposed by the settlement of the McCain lawsuit will be
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now be accessed on the FIAweb. th	• • • • • • • • • • • • • • • • • • • •
th	ssued via Electronic Benefit Transfer (EBT) to all eligible public assistance (PA) participants. It is informational for all other staff.
or he th	The McCain fines resulted from a lawsuit, McCain v. Koch, filed by the Legal Aid Society on behalf of homeless families with children in which the Appellate Division of the New York State Supreme Court ordered the City of New York to provide emergency housing to nomeless families with children. As a result of the McCain lawsuit, the City of New York must reimburse certain homeless PA participants for its failure to provide emergency housing.
H D ge P	Eligible PA participants have been identified by the Department of Homeless Services (DHS) and will be notified by a letter prepared by DHS (see sample letter attached). The letter and fines will be generated by MIS and will appear as special grant code <b>35</b> (EAU Payment) in the Welfare Management System (WMS). Workers are advised that this income is not budgetable for PA and/or Food Stamps.
pa fa	Note: Workers should be advised that HRA is only contacting participants with active PA cases. Former participants and homeless amilies who are no longer on or were never on PA will be contacted by DHS.
	Effective Immediately
A	Attachment:
M	McCain Settlement Letter (Sample)

HAVE QUESTIONS ABOUT THIS PROCEDURE? Call 718-557-1313 then press 2 at the prompt followed by 765 or send an e-mail to *FIA Call Center*  City Of New York
Department of Homeless Services
33 Beaver Street
New York, New York 10004

Joe anywhere usa NEW YORK , NY



JULY 6, 2004

Dear Joe

The City of New York has determined that for the period June 16,1995 through October 1, 2003 you are owed [\$ 788.44] for the City's failure to place you in shelter according to court orders. This amount represents \$150.00 per day for each unlawful placement, plus 2% interest, for the following unlawful placement:

Fine Category [4] Unlawful placement in the shelter system began[10/03/01] & lasted[ 1]days.

Fine Category [5] Unlawful placement in the shelter system began[10/03/01] & lasted[ 1]days.

Fine Category [4] Unlawful placement in the shelter system began[10/05/01] & lasted[ 1]days.

Fine Category [4] Unlawful placement in the shelter system began[10/08/01] & lasted[ 1]days.

Fine Category [5] Unlawful placement in the shelter system began [10/23/02] & lasted[ 1]days.

The Fines Categories are explained on the enclosed insert. Your payment has been verified based on the information contained in the Department of Romeless Services' databases that was collected during your shelter stay. Your payment has been automatically credited to your Public Assistance account, and will not change your eligiblility for benefits or your monthly benefit amount.

If you believe this payment is an error, please contact your court-appointed legal representatives, the Legal Aid Society, at 1-800-649-9125.

Sincerely,

Clarke Bruno General Counsel