

Township Public Assistance Eligibility Standards and Procedures Fairfield Township, Tippecanoe County

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The Township Trustee of each township is the ex officio administrator of township public assistance within the township. All duties, with reference to the poor of the township, will be performed as prescribed by state law. As administrator of township public assistance, the Township Trustee is responsible for the oversight and care of all poor individuals in the township, if the individuals remain in the Trustee's charge. The Trustee will see that individuals are properly taken care of in the manner required by law.

Township Office Accessibility

General office hours are 8:00 a.m. to 5:00 p.m. Monday through Thursday (excluding holidays) and Friday 8:00 a.m. to 11:00 a.m. ***Applications for township public assistance are taken Tuesday and Wednesday from 9:00 a.m. to 3:00 p.m. and Friday 9:00 p.m. to 11 a.m.*** The Trustee reserves the right to modify office hours in conformity to the needs of the township. In such event, the Trustee will provide a five (5) working day advance notice.

Afterhours access to the township public assistance office is provided by a phone system with voice mail and programmed to provide information about office hours. The Fairfield Township Trustee will respond to a telephone inquiry for township public assistance service within 24 hours after receiving the inquiry (excluding Saturdays, Sundays, and legal holidays). We have also provided extra Township applications in the mailbox located at the back of the building.

Eligibility Standards and Guidelines for Township Public Assistance

I. The Application Process

All persons who inquire about township public assistance are required to submit a written application at the time of first contact with the Trustee's office. Except under special conditions determined by the Trustee, no township public assistance will be granted unless a request is made in person at the township office. If an applicant has a need and qualifies for township public assistance, the applicant must comply with the standards and procedures set forth in these guidelines. At a minimum, the Trustee will advise persons who inquire about assistance of the following:

- A. The right to file a written application before any determination of either eligibility or type(s) and amount(s) of benefits is made.
- B. The right to receive a prompt, written determination on their application within seventy-two (72) hours from the date the written and completed application is received by the Trustee (excluding Saturdays, Sundays, and holidays listed in I.C. 1-1-9 (I.C. 12-20-6-7)).
- C. The consequences of delaying the submission of a **completed** written application, (such as, possibly extending time to determine eligibility).
- D. All applications for assistance will be processed according to uniform, written standards and without consideration of an applicant's age, race, color, sex, religious creed, national origin, political belief or physical or mental handicap. Discrimination in any aspect of administration is prohibited by the Age Discrimination Act of 1975 (P.L. 94-135), the Rehabilitation Act of 1973 (P.L. 93-112), and Title VI of the Civil Rights Act of 1964 (42 U.S.C. 1983, 200 d).

All applicant's 18 years of age or older will be required to complete and sign basic application forms and swear (or affirm) that the information given is complete and accurate. The Township Trustee may not extend assistance to an individual or household unless an application and affidavit setting forth the personal condition of the individual or household has been filed with the Trustee within one hundred eighty (180) days before the date assistance is extended.

Applicants and adult household members 18 years of age or older must complete and sign a **reapplication** form and affidavit at any return visit beyond seventy-two (72) hours from the *initial* application, affirming how, if at all, the personal condition of the individual or the household has changed from that set forth in the most recent application (whether the request is for the same or another type of assistance, I.C. 12-20-6-1d).

THE TRUSTEE MUST RETAIN A COPY OF EACH APPLICATION WHETHER OR NOT RELIEF IS GRANTED (I.C. 12-20-6-8). The applicant will be required to cooperate with an investigation of personal finances, family responsibility, and eligibility to receive township public assistance. This investigation may include a home visit and contact with family or household members in addition to employers, both present and former.

As applicable, the applicant and adult household members will be required to complete and sign necessary township forms and waivers including consent to a disclosure and release of information about the applicant and the applicant's household before township public assistance may be provided by the Township Trustee. Forms must include the following:

- (1) The applicant's name, case number, and address.
- (2) The types of information being solicited include the following: countable income and assets, use of resources, relatives capable of providing assistance, past or present employment, pending claims or cause of action, a medical condition (if relevant to work or workfare requirements) and any other information required by law.
- (3) The names of individuals, agencies, and township trustee offices that will receive the information.
- (4) The expiration date of the permission to disclose information.

The Township Trustee, as administrator of township public assistance, is required to carefully investigate the circumstances of the applicant and each member of the household to ascertain the following:

- (1) Legal residence.
- (2) Names and ages (an acceptable means of identification, such as Social Security card, Picture ID, Birth Certificate, must be furnished).
- (3) Physical condition relating to sickness or health.
- (4) Present and previous occupation.
- (5) Ability and capacity to perform labor.
- (6) The cause of the applicant's or household member's condition, if the applicant or household member is found to be in need and the cause can be ascertained.
- (7) Whether the applicant or a member of the applicant's household is entitled to income in the immediate future from any source, including the following: past or present employment, a pending claim or cause of action that may result in a monetary award being received by any member of the applicant's household claiming to be in need, or a pending determination for assistance from any other federal or state government entity.
- (8) If the applicant or household member is in violation of any Indiana Code's (i.e. I.C. 35-43-5-7, I.C. 35-48-4) or has any outstanding warrants issued by the Federal, State or Local Authorities).
- (9) The family relationships of the township public assistance applicant.
- (10) Whether the township public assistance applicant or members of the applicant's household have relatives able and willing to assist the household.

Temporary Emergency Aid (I.C. 12-20-17, 12-7-2-76.5): If the Township Trustee determines by investigation that a township public assistance applicant or household member is in need of emergency assistance, the Township Trustee will furnish the applicant or household member the temporary aid necessary for the relief of immediate suffering.

Such an emergency is defined as an unpredictable circumstance which places the applicant or household member in jeopardy of health or safety. The circumstances must be documented in the case record to support the amount provided. Such emergency assistance may include the following:

- (1) Placement in a temporary emergency shelter, even if the applicant is not a township resident. Placement may be made in the county home or in a private shelter, for which the Trustee has contracted services, if the shelter does not require participation in religious services. While residing there, the individual is to be employed if capable (I.C. 12-20-9-2). Any individual under the influence of drugs or alcohol, mentally ill, or otherwise incapable of self-care and who needs shelter assistance will be referred to an appropriate agency within the county or an adjoining county at no cost to the township. Applicants may be subject to random drug testing.
- (2) The Trustee receives a report that an individual or household member is sick, in need, and without necessary financial resources. The Trustee will investigate and provide the temporary relief required.

Before any further or permanent relief is given, the Township Trustee will consider whether the applicant's or household's need can be relieved by means other than an expenditure of township money. If the Trustee does provide temporary emergency assistance, the trustee may direct such an individual to complete application to other governmental programs within fifteen (15) days. Failure to complete such applications within fifteen (15) days will bar the individual from seeking further non-emergency assistance from the trustee for sixty (60) days from the date the original emergency assistance was granted (I.C. 12-20-6-5).

II. Township Public Assistance Provisions

Township public assistance is not an insurance program or "back bill" payment program. Township public assistance is intended to alleviate the immediate suffering of only those persons otherwise unable to help themselves and who take the necessary actions to try to help themselves. The applicant and all members of the household must show that *every* effort has been made to provide one or more of the basic needs of the household. **The Township Trustee may provide and will extend township public assistance *only* when the personal effort of the township public assistance applicant fails to provide one (1) or more basic necessities.**

If an applicant or household member has a **relative** living in the township who is able to **assist** the applicant or household, the Trustee will, before providing aid a second time, ask the relative to help, either with material relief or by furnishing employment (I.C. 12-20-6-9, 10).

The Trustee will acquaint himself, as much as possible, with the work of all relief agencies or charitable organizations operating within the township, and cooperate with them in any way he may deem advisable, to the end that unnecessary duplication of assistance may be avoided (I.C. 12-20-6-3). Even upon a non-emergency request for assistance, an applicant or household member is required to comply with all referrals made by the Trustee to other public assistance programs within fifteen (15) working days of the referral date.

When referred by the Township Trustee, an applicant or household member must comply with case management requirements of **private service agencies** contracted by the Trustee. The private service agency will report the case results to the Trustee.

Basic necessities may be provided under one (1) or more of the following forms of Township Public Assistance:

A. Clothing (I.C. 12-20-16)

Clothing for both children and adults in an eligible household may be provided. Referrals to local charitable organizations distributing clothing may be made.

B. Food (I.C. 12-20-16-5)

It is unlawful for the Trustee to provide food assistance for an applicant or household that is eligible to participate in the federal Food Stamp Program. The only conditions under which the Trustee may purchase food for an **eligible food stamp family** are:

- (1) during the **interim period** an applicant or a household is awaiting a determination of eligibility from the food stamp office and ending not more than five (5) days after the day the applicant or household becomes eligible to participate in the Food Stamp Program (I.C.12-20-16-6).
- (2) upon the verified loss of the family's food supply through **unpreventable spoilage**.
- (3) upon a written statement from a physician indicating one or more members of the household needs a **special diet**, the cost of which is greater than can be purchased with the household's allotment of food stamps.
- (4) when the Trustee determines that an applicant or a household, that already has participated in the Food Stamps Program to the fullest extent allowable, is in need of **supplementary food** assistance and that such supplementary food assistance is necessary, based solely upon the circumstances of the particular case (I.C. 12-20-16-6).
- (5) upon the **verified loss** of the household's food stamps or food supply by fire or other natural disaster; or burglary or other criminal act, if a report is filed with the appropriate law enforcement agency.

If the Trustee determines that an applicant or household is considered to be incompetent or irresponsible to select food or make proper use of food stamps, the Trustee will issue the food purchase order in the name of another adult member of the household, another relative living in another household, or another individual (I.C. 12-20-16-8).

The Trustee may, instead of providing direct township public food assistance, refer an otherwise eligible household to a local government or private **food pantry** (I.C. 12-20-16-5). The Trustee may administer township public assistance food allotments on a weekly basis or less, depending on the circumstances of the household. If a **food order allotment** is provided to an eligible household, it will be administered according to household size using the following table (based on the monthly Food Stamp Program guidelines).

<u>Household Size</u>	<u>Food Assistance per month</u>	<u>Household Size</u>	<u>Food Assistance per month</u>
1	\$250	6	\$1190
2	\$459	7	\$1316
3	\$658	8	\$1504
4	\$835		
5	\$992		

(Each additional person \$188)

The Township Trustee will inform an applicant that they *may not* provide food assistance for more than thirty (30) days *unless* the applicant or household files an application with the Township Trustee that includes evidence of **application for food stamps** and the amount of food stamp assistance to be received *or* the reason for denial of assistance.

If **emergency food assistance** is provided *and* the applicant or household appears to be eligible for the Food Stamp Program, then the applicant or household must apply for food stamps within 15 days of the date emergency food assistance was given by the Trustee and show verification of such, prior to the granting of a second month's food assistance. Failure to apply for food stamps will result in disqualification for township public assistance for 180 days from the date of the next application.

C. Household Necessities (including personal hygiene supplies) (I.C. 12-20-16-7)

Household necessities include basic and essential items such as hand soap, detergents, paper products, furniture, utensils, as well as heating and cooking stoves. Personal hygiene supplies are included, but not limited to, first aid and medical supplies for minor injury and illness. Referrals may be made to other agencies providing such items.

Any dollar amount allotted in the form of a purchase order to an eligible household will take into consideration the number of household members, their ages and sex. Specific items requested by the applicant and deemed necessary by the Trustee will be specifically listed on the township purchase order. Such household need allotments will be issued to eligible households according to the following table.

Household Size	Dollar Amount (per month)	Household Size	Dollar Amount (per month)
1	\$92.00	5	\$193.76
2	\$117.46	6	\$219.22
3	\$142.90	7	\$244.67
4	\$168.33	8	\$270.11

(Each additional person \$58.08)

D. Funeral/Burial Expenses (I.C. 12-20-16-12)

Application for funeral and burial assistance must be made to the Township Trustee (either by a family member, coroner, or mortician) which includes the signing of an affidavit and consent to disclosure *prior* to burial arrangements being finalized.

Residency of the deceased must be established by the Township Trustee. The deceased person's residency in the township will be determined by the location of the last primary residence of the deceased. A hospital will not be considered as a place of residence, but a nursing home or similar residential facility may be considered as a place of residency unless other domicile or real property is or has been maintained or owned within the 24 month period immediately preceding the death. If the Township Trustee determines that the deceased individual is a resident of another township in Indiana, the Trustee will notify the Trustee of that township, who will then provide a person to superintend and authorize either the funeral and burial or cremation of the deceased individual.

The Trustee will provide a person to superintend and authorize the funeral and burial of an eligible deceased indigent person and may financially provide for the funeral and burial of those indigent persons not leaving sufficient resources (i.e., cash, automobile, insurance, and/or real property that may be liquidated) to defray funeral and burial expenses. If it *is* determined that the deceased has sufficient funds, real or personal property, Medicaid burial assistance, or other **assets to defray** funeral expenses, the township will *not* provide assistance.

Estates Subject to I.C. 12-20-11-5b (workfare assignment and satisfaction), a trustee who furnishes township public assistance may file a claim against the estate of a township public assistance recipient who: (1) dies, leaving an estate; and (2) is not survived by a spouse, disabled adult dependent, or dependent child less than eighteen (18) years of age; for the value of township public assistance given the recipient before death. [I.C. 12-20-27-1] The estate of a township public assistance recipient includes any money or other personal property in the possession of a coroner under I.C. 36-2-14-11.

Payments received from any other governmental source(s), will be deducted from the township's allowable maximum.

Family members will be requested to assist the township to defray the deceased person's funeral and burial expenses and those contributions will be deducted from the township's maximum allowance. Under normal circumstances, the township will not approve burials for weekends, holidays, or any time in which burial costs are higher. The Trustee will take into consideration **out of the ordinary expenses** for special circumstances (i.e., a needed extra-large casket or vault).

The **cremation** of an indigent person may be an option for the township, provided the funeral director has secured a burial permit and has written authorization from the deceased person's next of kin or the personal representative of the deceased person's estate.

The township will not pay for the **cost of transporting** the remains of an indigent person back to Fairfield Township unless the indigent person expired in a medical or governmental facility (i.e. hospital, veteran's facility, prison, county home, or county jail) having been admitted to that facility from his place of residence in Fairfield Township. Nor will the township authorize payment for transporting the remains of a deceased person having expired in Fairfield Township to another township, or pay the cost of a burial incurred in any other township, unless burial space is already owned by family members within a radius of sixty (60) miles.

If an individual dies in a township, leaving no money, real or personal property, other liquid assets, or other means necessary to defray funeral expenses and is *not* a resident of another township in Indiana, and is a **resident of a state institution** at the time of his/her death, the division that has administrative control of the state institution will reimburse the township trustee for the necessary and reasonable expenses of the funeral and burial or cremation expenses incurred by the Trustee. If this same type of individual is a resident of a special institution governed by I.C. 16-33 (Chapter 1 - repealed; Chapter 2 - repealed; Chapter 3 - deals with Silver Crest Children's Development Center; Chapter 4 - Indiana Soldier's and Sailor's Children's home) at the time of his/her death, the state department of health is to reimburse the trustee for the necessary and reasonable expenses of the funeral and burial or cremation of the deceased individual.

The **total cost** of a funeral, including burial plot, may not exceed twenty-one hundred (\$2,100) dollars.

The township requires the original death certificate and an itemized statement from the funeral home before payment can be authorized (I.C. 12-20-16-12). Itemized statement shall include the funeral home's published (FTC) retail prices along with the township costs.

The cost breakdowns for necessary burial expenses are as follows:

- (1) Mortuary.....not to exceed \$1,200.00
(Casket, professional services, preparation, transportation)
- (2) Cemetery.....not to exceed \$900.00
 - Burial plot (\$300.00)
 - Opening and closing (\$300.00)
 - Container (\$300.00)

The **total cost** of Cremation, including burial plot, may not exceed one thousand \$(1,000) dollars.

- (3) Cremations (only).....not to exceed \$850.00
- Cremations with Burial.....not to exceed \$1000.00

Funeral home and burial expenses covered by the township are for **basic goods and services** only, as agreed upon by the Township Trustee and Funeral Home Director (a standard package). *Either* visitation the day prior to burial *or* the same day of the burial/memorial service is included (not both). *The cost of a gravestone is not included. The deceased person's family is not allowed to upgrade the funeral/burial goods or services at their own expense if the township has agreed to provide assistance.*

Before a funeral home can be considered for services, a current price list copy, as disclosed to the Federal Trade Commission must be on file with the township.

E. Medical Treatment (I.C. 12-20-16-2)

The Trustee will make referrals to other local agencies providing such medical services. Medical treatment through the township will be provided *for* eligible persons *only* after the following applications have been submitted and services sought:

- (1) Application
- (2) Any free or community health clinic
- (3) Medicaid
- (4) Hospital Care for the Indigent (H.C.I.)

Only in cases of necessity and when individuals are *not* provided for in public institutions, by a private insurance policy or through governmental programs, such as Medicaid or Medicare, will the Township Trustee provide medical assistance. The township will consider payment *only* on the following medical services for the qualifying poor (excludes those associated with a hospitalization or surgery).

- (1) Prescription drugs, as prescribed by an attending practitioner, as defined in I.C. 16-42-19-5.
 - (A) The patient must make application and obtain authorization from the township prior to purchase (I.C. 12-20-16-2).
 - (B) The patient will need a **current hard copy** prescription from the doctor. No prescription bottles will be re-filled.
- (2) Office calls to a physician licensed under I.C. 25-22.5 (repealed) or another medical provider. Applicants must first make application and receive authorization from the township, except in an emergency. The cost of a medical specialist cannot be covered by township funds unless the applicant was referred to the specialist by their primary physician (I.C. 12-20-16-2).
- (3) Dental care. Funds for dental care will be limited to medical care necessary to relieve pain and infection in the most practical and economical way. The township may pay for the repair or replacement of dentures, but not for the initial cost of dentures (I.C. 12-20-16-2).
- (4) Emergency room treatment that is of an emergency nature. A medical emergency does not exist when the illness/injury could have been treated at a routine office visit to a general practitioner, preceded by application and authorization for assistance from the township office. Necessary emergency room treatment may be covered by township funds provided the proper request is made to the township office, by the patient or a household member, within fifteen (15) working days of the day the medical services were rendered. The medical service provider and applicant must complete the township form P.R. 4, "Report of Medical Aid Rendered," and submit it to the township office within the same fifteen (15) working days cycle. Failure to do so within the prescribed time will result in a denial for assistance.
- (5) Pre-operation testing prescribed by an attending physician licensed under I.C. 25-22.5.
- (6) Over-the-counter drugs prescribed by a practitioner, as defined in I.C. 16-42-19-5.
- (7) X-rays and laboratory testing, as prescribed by an attending licensed physician.
- (8) Physical therapy prescribed by an attending licensed physician.
- (9) Eyeglasses, eye exams, eyeglass repair or replacement.
- (10) Repair/replacement of prosthesis.
- (11) Insulin and items needed to administer insulin.

In accordance with the provisions of I.C. 12-20-16, the township will use the Indiana Office of Medicaid Policy and Planning Schedule for determining the amount to be paid for medical services rendered unless the service charge is less. The lesser of the two will be the amount paid. The township is under no obligation to provide for medical services and/or prescribed medications that are excluded for payment by either the Indiana Medicaid or the federal Medicare program (I.C. 12-20-16-2b).

Unless prohibited by law, the township will seek **reimbursement** for medical services paid in cases in which the individual assisted qualifies for medical services under a state medical plan (I.C. 12-20-16-2e).

F. Shelter (I.C. 12-20-16-17)

The Trustee may provide shelter relief assistance to an eligible household, including rent and mortgage payments where applicable. The amount paid on behalf of a client will not exceed a predetermined shelter allowance, per the township's standards (see page 10 for amounts).

The Trustee will provide aid, in whatever form is necessary, to provide shelter or prevent the loss of shelter, so long as such aid constitutes the **most economical** and practical method of relieving an eligible applicant. In cases where suitable housing is available at a lesser cost, the Trustee may refer the applicant or household members to such housing. Failure to apply for such recommendations will be cause for denial or discontinuance of assistance.

An individual or household who has spent the prior night (or with the likelihood of spending the night in the immediate future) in an environment considered to be unsafe or unhealthy are categorized as **homeless**. Temporarily living with relatives or friends does not constitute a "homeless" condition for the purpose of township public assistance.

Shelter is defined as a house, mobile home, apartment, a group of rooms, or a single room that is occupied, as separate living quarters where the occupant or intended occupant:

- (1) does *not* live and eat with any other individual in the building *and*
- (2) has direct access to the occupant's living quarters from the outside of the building or through a common hall (I.C. 12-7-2-177).
- (3) must meet HUD Standards.

Whenever an applicant requests housing assistance from the Trustee's office, a written information **statement from the landlord** will be required. This statement will include such items as: the full name of the landlord, a mailing address and telephone number for the landlord, a statement indicating whether the landlord will (or will not) accept payment from the Trustee's office, the amount of rent charged, the due date, what utilities are provided, in whose name the lease is listed, and the number of individuals residing in the household.

Applications for shelter assistance will be considered *only once it is due* (not prior to the due date). Only the **current month's rent** will be considered for assistance when no judgment for eviction and/or back rent has been taken against the applicant or household member.

An exception to the above rule: Up to two (2) months of back rent for a qualified applicant may be paid only if the trustee deems it necessary in order to stop an eviction proceeding. An applicant will only be granted this exception once in a lifetime.

An application will not be taken for the *same* assistance for a period of 30 days from the date of your last application. (Example: You make application on March 20th for March's rent and you need help with April's rent you cannot apply until after April 20th).

The trustee may **pro-rate** the rent from the time of application to the last day of the current month. Rent may also be pro-rated based on anticipated monthly household income.

The Township Trustee will *not* spend township public assistance funds for a **shelter damage or security deposit** for an otherwise eligible township public assistance applicant or household. It is the responsibility of the applicant to make arrangements for the payment of required deposits *prior* to being granted assistance from the township trustee.

Shelter assistance will *only* be **paid to the person** who is **purchasing** or **who owns** the property.

Township public assistance funds will *not* be paid to anyone (as a landlord or vendor) who has received assistance from the Trustee as a township public assistance applicant, *unless* the assistance has been repaid (see page 19 letter C--Reimbursement to the Township).

Shelter assistance will **not be paid to relatives** (as a landlord) on behalf of an applicant when both are living within the same household *or* in separate housing unencumbered by a mortgage *or* the housing has not been previously rented by the relative to a different tenant at reasonable market rates for a period of at least six (6) months.

If an applicant is renting housing from a relative *with an encumbering mortgage*, the township will pay only the maximum allowed in the township guidelines *or* the amount of the mortgage payment, less the principal, whichever is less. The same applies to any homeowner who qualifies for assistance with a mortgage payment. NOTE: Home Equity Loans or Refinanced Mortgages that include other bills are **not** considered an *encumbering mortgage*.

Leasing from family members will not prevent provision of shelter assistance, *if* the family landlord is financially unable to provide free rent to the recipient. Verification will be required. If shelter payments are made to a relative of a township public assistance applicant on behalf of the applicant, the trustee may **file a lien** against the relative's real property for the amount of township public assistance shelter assistance granted. The same applies to any township public assistance recipient who receives assistance for a mortgage payment. Note: The Township will credit against the lien, any S.S.I. benefits recouped.

The township is not obligated to pay the cost of shelter assistance for an applicant whose **relative purchases a property** for the intended purpose of having the applicant live in the unit. This applies to real estate purchases made within ninety (90) days prior to making application for township assistance, anytime immediately following the filing for township assistance, or during the period an applicant remains otherwise eligible for township assistance. Also, the township is not obligated to pay, directly or indirectly, the costs of mortgage payments when the property in question is part of a potential property settlement in a pending court proceeding, such as a divorce or inheritance.

The township is *not* required to provide shelter assistance to an otherwise eligible individual if: (1) the individual's most recent residence was **provided by a parent**, guardian, or foster parent (2) the individual, **without just cause**, leaves that residence for the shelter for which the individual seeks assistance. Just cause, in this case is defined as physical abuse (and a police report has been filed) or unsafe living conditions (documented by the health department, housing inspector or utility company).

The township is not under any obligation to pay shelter, on behalf of an otherwise eligible applicant, to a public or private agency wholly or partially **funded by federal or state funds** (I.C. 2-20-17-2).

Applicants having **moved** within sixty (60) days immediately preceding their application for township public assistance **from shelter provided by a relative or subsidy** will be declared ineligible for township public assistance unless the applicant can establish just cause for having moved (I.C. 12-7-2-200.5).

If the property is a **sublet**, an agreement with the property owner will need to be verified.

The township may require that rental properties conform to applicable **building and health codes** before rents will be approved (I.C. 12-20-16-17).

The Township Trustee may provide shelter to homeless individuals or families by contracting for such a service with a local **not-for-profit agency**.

The Trustee will process applications for admission to the county home in accordance with the provisions set forth in I.C. 12-20-16-15. Once processed and properly investigated, the Trustee will make a recommendation to the County Commissioners as to whether the applicant should be considered for admission. If the applicant fails to be recommended for admission by the Trustee, the applicant will be advised of his/her right to pursue the petition on their own (I.C. 12-30-4-5). As persons become permanent charges upon the township (paupers), the Trustee, as overseer of the poor will have such persons removed to the county home (I.C. 12-20-9-5 & I.C. 12-20-17-4).

It is for the Township Trustee to determine whether a pauper will be removed to the county home (I.C. 12-30-4), or temporary relief afforded to such a pauper (Board of Commissioners vs. Harlem, 108 Ind., N.E. 913). When this determination is made and the applicant is unwilling to make application to the county home (Tippecanoe Villa) for any reason, assistance will be limited to the amount of such assistance at the county home, not to exceed a period of sixty (60) days.

A Trustee is not required to provide shelter to an individual who, at the time assistance is requested, is **under the influence** of drugs or alcohol or is incapable of self-care. Applicants may be subject to random drug testing. The Trustee may, at no cost to the township, refer an individual described above to an appropriate agency or facility located in the county or an adjoining county that has a program or charter specifically addressing the problems of substance abuse, mental illness, or self-care (I.C. 12-20-17-2f).

Housing allowances are determined on the basis of the township mean for housing established by averaging rental charges established by landlords for the following housing units:

<u>Unit Size</u>	<u>Housing Assistance (HUD)</u>
Efficiency	\$677
1 bedroom	\$782
2 bedroom	\$939
3 bedroom	\$1231
4 bedroom	\$1456

Note: The Trustee will use the following federal housing assistance guidelines to determine the rental unit size needed for the household size and only grant assistance in accordance with such. A one-bedroom unit is allowed for parent(s) with one child less than two years of age, a two-bedroom unit if over two years of age. Two children (and two only) of the same gender are allowed a bedroom, two of the opposite gender may share a room up to age two.

G. Utilities (I.C. 12-20-16-3)

Utilities considered for assistance payments include water, natural gas, and electric services besides fuel for heating and cooking (cable television service and telephone service without the order of a physician is *not* considered for assistance). A household may apply for township assistance as soon as the notice of a disconnect has been received (**IMPORTANT: it is the responsibility of any adult household member to seek assistance before the utility is actually *disconnected* to prevent the overuse and wasting of additional community resources**).

Utility Assistance:

	<u>Maximum Amount</u>
Electric	\$600
Total Electric	\$800
Water	\$350
Gas	\$650
Telephone	\$50
(Basic Service)	

The Township Trustee will *not* pay **deposits, prepayments, or reconnect fees** (I.C. 12-20-16-17f). It is the responsibility of the applicant to make arrangements for the payment of a required deposit *prior to* being granted assistance from the Township Trustee. (In cases of pressing hardship, the Trustee *may* authorize payment of delinquent bills or reconnect fees when necessary to prevent termination of services or to restore terminated service and then only the minimum amount required.) (I.C. 12-20-16-3).

The township will *not* consider the payment of **delinquent utility bills** if the applicant was ineligible for township public assistance at the time the utility service was incurred, or the delinquent bill is older than six (6) months. Applicants must provide verification of their income level at the time the utility bill was incurred.

To be considered for assistance, utility service must be in the **legal name of an adult** member of the household (*or* a landlord or former member of the household, *if* the applicant proves that the applicant is the one responsible for payment of the bill) (I.C. 12-20-16-3).

The Trustee will not pay for any utility service received as a result of a **fraudulent act** by any adult member of a household requesting assistance (I.C. 12-20-16-3b2).

Any utility bill that was incurred in another township will be referred back to that township.

All **federal and state funded resources** for utility assistance must first be exhausted. Utility assistance will not be denied solely because the applicant has applied for federal/state energy assistance programs (which provide one time fixed amounts during the winter months) or because the applicant is covered under the wintertime moratorium on shut-off (I.C. 8-1-2-121).

The Trustee may *not* pay for heating fuel or electric services for longer than thirty (30) days during that part of the year when applications for assistance are accepted by the Indiana Family and Social Services Administration (locally through Area IV Agency on Aging and Community Services) *unless* the applicant files for **energy assistance** (I.C. 12-14-11).

Prior to receiving township public assistance for fuel or electric services for subsequent periods during the above season, the applicant must provide the following:

- (1) Evidence of application for the Energy Assistance Program.
- (2) The amount of assistance received *or* the reason for denial of assistance.

(Note: Failure of the applicant or household to follow all regulations and guidelines of the Energy Assistance Program during the moratorium period, as agreed on the **POINTS TO REMEMBER FROM AREA IV'S** signed form, including the submission of regular payments, may result in denial for township public assistance.)

H. Transportation (I.C. 12-20-16-11)

Transportation provided to eligible individuals is by **bus**. No monies for gasoline are available.

Transportation may be provided for an applicant to **seek or accept employment**.

The township may require an applicant to perform **workfare** *prior to* receiving transportation assistance (I.C. 12-20-16-11).

The Township Trustee may not furnish a non-resident of the township with transportation until the Trustee determines the **legal residence** of the individual applying for assistance. Once the legal residence of any non-resident of the township has been ascertained beyond a reasonable doubt, the Trustee may provide transportation only in the direction of the applicant's legal residence (*unless it is shown that the individual in need has a valid claim for support or a means of support in some other place to which the individual asks to be sent*).

Whenever an applicant or household member has received township assistance for transportation to a location outside the township, at the individual's request or by court order, and later willfully reapplies for assistance in the township from which the individual was sent, the individual may be denied township public assistance for not more than one hundred (180) days (I.C. 12-20-9-6).

III. Verification Procedures

Within the application for assistance (PR-1) is a ***Consent to the Disclosure of Information***. This form allows the Trustee to contact specifically named collateral sources to verify the applicant's circumstances (I.C. 12-20-6-1). The Township Trustee will investigate and verify, as soon as possible. The applicant or adult household member may be required to supply additional information and verifications. Verification procedures will not place unreasonable burdens on the applicants. However, it is incumbent upon the applicant to furnish the township with all information and documentation necessary for determining eligibility (I.C. 12-20-6-7b). ***Only after the completion of all investigation and verification will assistance be granted to those who qualify.***

- (1) The Trustee may require a **home visit** to verify the following:
 - (a) Composition and identity of all members of the household.
 - (b) To verify the property is not in violation with the city building codes or the Board of Health.
 - (c) Current residence, if any.
- (2) Social Security numbers of all members of the household
- (3) Employment or loss of employment of all members of the household.
- (4) Income and available assets or resources of all members of the household.
- (5) Application for or receipt of other public assistance for which the trustee believes the applicant or members of the household may be eligible.
- (6) **Indiana** Picture ID's or **Indiana** Driver's license for anyone in the household 18 years or older in the household.
- (7) Birth Certificates for everyone in the household.

IV. Determining Eligibility

A. **Residency Requirement** (I.C. 12-20-8)

Township Public assistance applicants must **physically reside** in the township to which they apply (except for situations of emergency affecting applicants who are temporarily in the township for reasons other than township public assistance). It is not necessary to live in a particular township for any specific length of time. However, to be eligible for assistance, an applicant must have **established a household** within the township. The household must *not* have been established for the primary purpose of qualifying for township public assistance (I.C. 12-20-8-3). Therefore, in order to verify an applicant's residency and their intent to live permanently in the township, the Trustee will consider the conduct of the applicant, both active and passive, as may reveal an intent to reside within a given household and within his respective township. Items which will be used to **establish residency** include mailing address, **Indiana** driver's license, motor vehicle registration, **Indiana** state picture I.D., voter's registration, telephone listing, utility billings, address given to others, change of address notices via the U.S. Postal Services; a secured lease; the location of the previous residency and how the household was supported there; the means of transportation which brought the household to this township and how it was paid; invitations or promised assistance from relatives, friends, or social service agencies; or any other documentation requested by the township. (I.C. 12-20-8-3).

1. Unless proven otherwise, it will be presumed that able-bodied applicants moving into the township without holding a full time job of thirty (30) hours per week or more, within one hundred eighty (180) days prior to the date of applying to the Trustee for assistance, was done in contemplation of or for the purpose of seeking and obtaining township assistance.
2. Unless proven otherwise, it will be presumed that able-bodied applicants moving into the township holding a HUD voucher and not ever holding a full-time job of thirty (30) hours per week or more, for more than sixty (60) days, was done in contemplation of or for the purpose of seeking and obtaining township assistance.

The **definition of "household"** will *not* be construed to mean *temporary* living arrangements made available by friends, relatives, acquaintances, or public or private social service agencies. Household is defined as simply an individual or as a group of people who share the same living quarters with common entrance to the housing unit, as well as a common kitchen/dining area.

A residence legally acquired continues *until* the **legal residence** is **lost** by acquiring a new legal residence or by willful and uninterrupted absence from the township in which legal residence has been gained.

An individual may not be considered to have lost legal residence in Indiana because of an absence that is due to business of the State or of the United States (I.C. 12-20-8-6).

Time spent in a penal institution, public or private charitable or benevolent institution, hospital, fraternal home, or in any place while serving in the armed forces of the U.S. are not counted in determining legal residence (I.C. 12-20-8-5).

Individuals in the U.S. without permission of the Immigration and Naturalization Service (INS) are ineligible to receive township assistance (I.C. 12-20-8). Aliens must be in the country legally and hold a valid **Green Card** issued by the INS.

In cases of *emergency*, the township *may* provide **temporary assistance** to applicants who are **temporarily in the township** unless the applicant is specifically in the township for township public assistance. (This should not be interpreted or construed to mean that individuals residing in adjoining townships may come to the larger, urban township for assistance.) The township in which they presently reside is still obligated to investigate the circumstances of the distressed person(s) and render whatever assistance is necessary. Consequently, Fairfield Township will also refer individuals in this category to the appropriate township. If a non-resident applicant or household member is a child, the parent of a child requiring the parent's care, or is sick, aged, injured, crippled, or physically or mentally unable to work or travel, the township trustee will furnish township public assistance to the individual until the individual can be returned to the place of the individual's legal residence (I.C. 12-20-9-2). If an applicant or household member is determined to be eligible for township public assistance and entitled to temporary emergency relief and is present in a township in which he/she does not have legal residence, the Trustee may, if he considers it advisable, place the individual temporarily in the county home, where the individual, if capable, is to be employed (I.C. 12-20-17-4).

If the Township Trustee is unable to ascertain and establish the place of legal residence of an individual requesting assistance, the Trustee will proceed to provide assistance in the same manner as other individuals are provided assistance (I.C. 12-20-8-7).

Unemancipated youths are ineligible to apply for township public assistance.

B. Evidence of Need (I.C. 12-20-5.5-6)

Once residency is established, the Trustee will relieve and support the individual, *if* the individual is eligible and in need. Households requesting township public assistance must show **financial need**. Any monetary amount paid to an applicant or a member of an applicant's household for the thirty **(30) days before the date of application** for township public assistance, or accrued and legally available for withdrawal by an applicant or a member of an applicant's household at the time of application or for up to thirty **(30) days after the date of application** for township public assistance will generally be used in calculating a household's financial need. When the applicant's or household member's countable income has ceased or been reduced, the Trustee will determine eligibility by using any remaining unspent income and the expected income for the next thirty (30) days. Applicant households are required to report any **"one time" monetary benefits**, awards, or settlements received within ninety (90) days immediately preceding application for township public assistance (I.C. 12-20-6-1, I.C. 12-7-2-44.7).

Countable income includes, but is *not* limited to, the following:

- (1) Gross wages *before* tax deductions.
- (2) Social Security benefits, including Supplemental Security Income.
- (3) Temporary Assistance to Needy Families (TANF).
- (4) Unemployment compensation.

- (5) Worker's compensation (except that which is restricted for the payment of medical expenses).
- (6) Vacation pay.
- (7) Sick benefits.
- (8) Strike benefits.
- (9) Private or public pensions.
- (10) Taxable income from self-employment.

(Countable income continued)

- (11) Bartered goods and services provided by another individual for the payment of nonessential needs on behalf of an applicant or an applicant's household, if monetary compensation or the provision of basic necessities would have been reasonably available from that individual.
- (12) Child support, GAP support, or alimony.
- (13) Gifts of cash, goods, or services.
- (14) Severance pay.
- (15) State and federal income tax refunds.
- (16) Interest on bank accounts, stocks, bonds, certificates of deposit, or similar assets.
- (17) Educational grants or loans for secondary or higher education at an approved institution of higher learning, to the extent that they are used for basic living expenses.
- (18) Disability payment from any source.
- (19) The monetary value of subsidized housing, utility, or childcare (provided by another governmental agency).
- (20) Other sources of revenue that the trustee may reasonably determine to be countable income, including "one time" monetary benefits, awards or settlements received within the ninety (90) days immediately preceding the application for township public assistance. One-time monetary awards may include but are not limited to the following: energy assistance payments, retroactive Social Security payments, workman's compensation, inheritances, pensions, insurance settlements, and federal and state income tax returns. Any of these monies received will undergo evaluation the same as the 30 days prior income.

Note: The following sources of income will be *exempt from countable income* in calculating eligibility for township public assistance: The monetary value of food stamp assistance and educational grants and loans for secondary or higher education at an approved institution of higher learning (as defined under I.C. 20-12-21-3) or for a job training program, to the extent they are used for tuition, books, fees, supplies, child care, uniforms, and transportation among other expenses provided for in connection with the education.

Households requesting assistance will be required to report all **assets** belonging to any household members. Upon request of the Township Trustee, a person holding assets or title to assets of a township public assistance applicant or household member will provide the Trustee with information concerning the nature and value of those assets for purposes of determining the household's financial eligibility to receive township public assistance. Assets (non-basic or non-essential) which may affect eligibility are those which are available to the household, but are not considered necessary for the health, safety, or decent living standard of a household; and are owned wholly or in part by members of the household; and those (assets) that the member has the legal right to sell or liquidate; and that include all real property other than that used for the production of income or is the primary residence of the applicant.

Countable assets which may affect an applicant's eligibility for township public assistance may include, but are not necessarily limited to the following:

(I.C. 12-7-2-44.6, I.C. 12-20-7-3.5).

- (1) Motorcycles or similar modes of transportation
- (2) Boats, boat motors, or boat trailers
- (3) VCR's, cam recorders
- (4) Microwaves
- (5) Guns or hunting equipment
- (6) Camping trailers, recreation vehicles

- (7) Jewelry
 - (8) Non-basic telephone services (caller I.D., call waiting & forwarding, etc.) and accessories (including answering machines and cellular phones)
 - (9) Cable television service and satellite dishes or service
 - (10) More than one automobile or an expensive automobile make/model
 - (11) Any other item of value which the trustee may determine to be a non-essential asset
- All liquid assets such as bank accounts, stocks, bonds, 401K plans, retirement plans certificates of deposit, non-basic telephone service, television cable service of any kind, leasing of non-essential household items, etc. must be liquidated immediately and any proceeds used for current basic needs. This may be verified before any assistance will be granted.*

All members of the household will be expected to **liquidate any non-essential assets** (i.e., recreational equipment, boats, motors, camping trailers, guns, other hunting equipment, motorcycles, CAM recorders, VCRs, jewelry, etc.) as soon as possible, but no longer than thirty (30) days from the date the initial application is filed. The township highly recommends, or may even insist, the termination of any and all **credit cards**.

Assets considered **exempt from liquidation** include one house or mobile home in which the household resides and one automobile, which the value or equity does not preclude the household from qualifying for state or federal assistance programs, or other property that produces income.

The trustee has set income standards consistent with the reasonable cost of *basic necessities* in each particular township and these are used to define financial eligibility (I.C. 12-20-5.5-6). **Basic necessities** include those items or services essential to meet the minimum standards of health, safety, and decency and include the following:

- (1) Shelter.
 - (2) Essential utility services (see definition on page 10).
 - (3) Food.
 - (4) Medical care (described in I.C. 12-20-16-2).
 - (5) Clothing and footwear.
 - (6) Household essentials (see definition on page 5).
 - (7) Transportation to seek and accept employment (on a reasonable basis).
 - (8) Other services or items the Township Trustee determines are necessities (I.C. 12-7-2-20.5).
- (See pages 3 to 11 for the definitions of all basic necessities).*

As part of the application process, applicants are required to provide a listing of all income expended in the last thirty (30) days. Only expenditures for *basic necessities* will be recognized as legitimate (i.e., expended income). **Expenditures for items other than basic necessities will be considered the same as unexpended income. Applicants and household members will be required to provide current receipts for all expended funds to verify how income was spent.**

Only receipts and expenditures for basic necessities will be recognized (I.C. 12-7-2-200.5). An automobile and auto related expenditures (repairs), cable television service, non-basic telephone services, telephone accessories, court costs and related expenses due to criminal behavior are included in, but is not limited to, items considered non-basic or non-essential. Therefore, expenditures for these items are *not* recognized as legitimate expenses or justifiable expenditures and will be subtracted from the township income eligibility standards listed below. The difference will be the maximum total township assistance payable on behalf of the household.

It will be presumed that the spending of income for **non-essential items** within thirty (30) days of the date of applying to the Trustee for assistance was done in contemplation of or for the purpose of seeking and obtaining township assistance.

In cases where the household had been able to afford a non-basic item and a **sudden loss of income** due to no willful negligent act of the applicant or household member occurs, then that amount will not

be subtracted from the amount of eligibility. If the maximum township public assistance payable is greater than the actual amount of the household's unmet basic need, the amount payable will be the amount for the unmet basic need.

Applicants for all township public assistance, who are otherwise eligible, will only be eligible if the **Gross household income** for the thirty (30) days prior to application is *less* than the following standards (based on the number of persons living in the household):

Household Size	Gross Income
1.....	\$1073
2.....	\$1452
3.....	\$1830
4.....	\$2208
5.....	\$2587
6.....	\$2965
7.....	\$3343
8.....	\$3722

(Each additional member add \$378)

Deductions allowed: 1) medical costs for elderly (60 and older) and/or disabled household members; (2) documented court ordered child support payments; and 3) 50% of documented dependent care. The monthly income of **seasonably employed** individuals (construction workers, bus drivers, etc.) will be determined by dividing the total income for the prior twelve (12) months by twelve (12) (I.C. 12-20-5.5, I.C. 12-7-2-44.7).

Exceptional financial obligations, emergencies, and/or extraordinary expenses or circumstances, as are determined, documented, and approved by the Trustee, may give justification to temporarily waive the income guidelines. **Extraordinary circumstances are a onetime waiver for an over income guidelines household.**

V. Notice of Action

The Township Trustee will provide written notification to each township public assistance applicant of action taken for each request for assistance. Indiana law requires that this action be taken within seventy-two (72) hours (holidays and weekends excluded) from the time the completed application and all required information are filed with the township office.

In order to complete the application process and investigation within a seventy-two (72) hour period, an applicant must return information required by the Trustee's office or assistance will automatically be denied and a notice will be issued by mail. If or when a completed application (including all substantiating documentation requested) is received for a non-emergency request, personal notice or mail notice will be given no later than seventy-two (72) hours, excluding weekends and legal holidays, advising the applicant of one of the following:

- (1) The type and amount of assistance fully or partially granted or denied.
- (2) The specific reasons (all) for denying all or part of the assistance requested.
- (3) Any pending assistance and the reasons for pending.
- (4) The procedure for appealing a decision to the Tippecanoe County Board of Commissioners.

If a non-emergency application for township public assistance is made and the Trustee, before granting the township public assistance, determines that an applicant or member of the household may be eligible for public assistance other than township public assistance, the applicant or household member will, when referred by the Trustee, make application and comply with all necessary requirements for

completing the **application process for public assistance** administered by the Division of Family and Children, or any other county, state, or federal governmental entity (I.C. 12-20-6-5.5).

A. Workfare as a Condition for Receipt for Township Public Assistance (I.C. 12-20-11)

Any adult member of a household receiving township assistance (except for those receiving burial/funeral assistance) will be **obligated to perform workfare**. The Trustee will determine a township public assistance recipient's suitability to perform available workfare. The Township Trustee may provide for medical examinations necessary to make the determination (I.C. 12-20-11-1a,b).

The Trustee will obligate any adult member of a township public assistance recipient household to do any work needed to be done within the county (or an adjoining township in another county) for any nonprofit agency or governmental unit, including the state, having jurisdiction in that township (I.C. 12-20-11-1a).

Minimum criteria for satisfactory participation in the workfare program will be one (1) shift per day and five (5) shifts per week with completion within thirty (30) days unless otherwise assigned by the Trustee. A written workfare agreement will be instituted and signed by the obligated household member stating the details of the workfare assignment. Scheduling consideration will be given recipients who have employment. The township public assistance recipient is required to maintain the minimum criteria necessary for the fulfillment of the workfare responsibility until such time as the obligation with the township is satisfied. In satisfying this obligation, only the recipient or members of the recipient's household will be allowed to perform the assigned workfare.

The agency given charge of the obligated household member will notify the Trustee of the successful or unsuccessful completion of the workfare assignment. **If, for any reason, the obligated household member is unable to complete the workfare assignment as scheduled, he/she is obligated to immediately notify the trustee's office and the workplace. If the household member fails to do so, the workfare assignment (not the work order itself) will automatically be canceled.**

Work performed is considered as satisfaction of a condition for township public assistance and is not considered as services performed for remuneration. An adult household member will be required to do an amount of work that equals the value of assistance already received by the recipient or the recipient's household. The recipient will receive credit for the work performed, as assigned by the Trustee, at a rate not less than the federal minimum wage (I.C. 12-20-11-1c).

Recipients will **not** be **obligated to workfare** only for one of the following reasons:

(I.C. 12-20-11-1a)

- (1) the individual is not physically able to perform work *and provides current medical evidence that he/she is unable to perform the work.*
- (2) the individual is a minor or is over 65 years of age.
- (3) the individual has full-time employment at the time they receive township assistance.
- (4) the individual is needed to care for a person as a result of that person's age or physical condition. Current medical evidence of the person's physical condition must be provided.
- (5) the Trustee determines that there is no work available.
- (6) the individual, is, at the direction of the Township Trustee, attending a job training program under I.C. 12-20-12-1 or another job training program approved by the Township Trustee, or is attending adult education or Ivy Tech courses, under the direction of the trustee. The township public assistance recipient is exempt from performing work or searching for work for not more than one hundred eighty (180) days.
- (7) the individual is awaiting a determination from the Social Security Administration for SSI benefits (an *initial* application is still active and has not yet been denied). Individuals awaiting a determination from the Social Security Administration for SSI benefits will not be required to perform workfare if their *initial* application remains active. Once the *initial* application for SSI benefits has been denied by Social Security Administration, the applicant may be obligated to

perform workfare at that point. Individuals currently receiving SSI monthly benefits are *not* automatically excused from workfare. In order to be excused, an SSI recipient must still meet one of the exempting reasons listed above (I.C. 12-20-11-5).

(8) the individual received funeral/burial assistance.

The unit of government or nonprofit agency for which workfare is performed will furnish the necessary tools and materials besides the supervision (I.C. 12-20-11-1d, e). When the worksite is not within reasonable walking distance or a recipient has no means of transportation, transportation to the worksite will be provided.

The failure of a recipient to perform work assigned by the Trustee, within the time period required by the trustee, is a basis for denying further assistance to the recipient or the recipient's household for a period not to exceed one hundred eighty (180) days, unless the recipient shows good cause for not performing the work (I.C. 12-20-11-1h).

Workfare obligations incurred in another township and which have not yet been satisfied may result in a denial for a period not to exceed one hundred eighty (180) days.

B. Job Training as a Condition for Receipt of Township Public Assistance (I.C. 12-20-12)

As a condition of continuing eligibility, a Township Trustee may require a recipient of township public assistance or any member of a recipient's household to participate in an appropriate work training program.

C. Reimbursement to the Township

If it is anticipated that a township public assistance applicant or any member of the household is likely to receive a judgment, compensation, or monetary benefits from a third party, (as in the case of Supplemental Security Income), the Trustee may require the applicant to enter into a subrogation agreement for repayment of any township public assistance benefits provided by the township during the interim period. Failure of an applicant to sign the necessary authorizations for reimbursement to the township will result in a denial of township public assistance (I.C. 12-20-27-1.5).

The repayment of assistance, or a promise to repay assistance, will not constitute a condition of eligibility for township public assistance, except as specified in the above paragraph.

A township public assistance recipient may be requested to repay township public assistance, if equity funds in real estate are expected to be received in the foreseeable future. In those cases, assignment and indemnifying mortgage forms may be required to be signed. The mortgage form sets forth clearly that repayment will occur only on the sale of the property, death of the applicant or other specific circumstances.

D. Protective Payee Requirement

The Trustee may report and recommend to other governmental agencies (Family Social Service Agency or Social Security Administration) the misuse of funds by a recipient. When reporting the misuse of funds, the trustee may officially recommend to other governmental agencies (FSSA or SSA) that the recipient's payment be placed in the hands of a protective or designated payee. The township may refuse to extend aid to an individual or household member until such time as the person initiates and executes the proper instruments for obtaining a payee to handle their finances.

E. Denial for Township Public Assistance

A denial for township public assistance shall be issued to applicants for one or more of the following reasons:

(1) Applicant is **not a resident** of the township nor does not intend to make the township or county his/her sole place of residence.

(2) Application for Assistance **will not** be considered **until due**.

- (3) **Failure to cooperate** with, or to provide the trustee office with necessary information for determining eligibility.
- (4) Income of the household exceed the township eligibility standards (*sufficient income*), and no emergency exists. Applicants *may* have unpredictable circumstances or unusual expenses which would indicate a necessary expenditure from the township's public assistance fund. Proper documentation of the reasons necessary for exceeding the township's income standard must be made in those cases. The township is not obligated to pay for the services or the cost of goods incurred by an applicant or a member of an applicant's household during the period the applicant or a member of the applicant's household had *sufficient income* or resources to have paid for the goods or services.
- (5) **Failure to comply** with the Township Trustee's requirements set forth in these guidelines.
- (6) **Failure to cooperate** with Agency's referred to by the Trustee.
- (7) **Failure to return or notify** Trustee's Office within **72 hours**.
- (8) **Failure to make application** (within fifteen working days of the township referral) to governmental programs offering assistance for the basic necessities of living. Also, if an applicant or household member fails to complete the application process, comply with requirements, or otherwise participate in a program offered by **any public or private agency** after being referred by the Trustee, it will result in denial of township public assistance for sixty (60) days (I.C. 12-20-6-5 & I.C. 12-20-6-5.5). If the Trustee determines that an applicant or a household member who is granted *emergency* township public assistance (I.C. 12-20-17) may be eligible for public assistance other than township public assistance, the applicant/household member will, not more than fifteen (15) working days after the date that emergency township public assistance was granted, file an application for township public assistance and comply with all the requirements necessary for completing the application process for public assistance administered by the Division of Family and Children and other county, state, or federal governmental entities. An applicant or household member who fails to do so may not be granted township public assistance for sixty (60) days following the grant of emergency township public assistance (I.C. 12-20-6-5).
- (9) **False information** or documentation is willfully given to the trustee (I.C. 12-20-6-6.5). Knowingly and willfully falsifying the affidavit or misrepresenting the facts or withholding vital information. If the township finds that an applicant or household member has obtained township public assistance from any township by these actions, the township will refuse to extend aid for sixty (60) days. A criminal referral to the county prosecutor's office is made (I.C. 12-20-6-6.5).
- (10) **Failure to meet workfare requirements** within a reasonable time period required by the Trustee, (from prior assistance granted) including that assigned in another township, *unless* the recipient shows good cause for not performing the work. **All adult household members residing in the household at the time township assistance is provided are responsible for the completion of any workfare assigned.** Initially, the work order is assigned to one individual within the household. However, if the work order is not completed by that individual, other adult household members are responsible for contacting the trustee in order to have the work order reassigned, if necessary. Notice of denial for assistance due to incomplete workfare will be issued as soon as the opportunity presents itself (usually when a household member returns to the trustee's office for further assistance) (I.C. 12-20-11-1).
- (11) **Refuses** to do a workfare assignment.
- (12) **Violence**, threats of violence, or abusive language used in the Trustee's office or the premises.
- (13) The township public assistance requested by the applicant or household member is during the same 30-day period and is for the same goods **previously requested** and denied by the township (I.C. 12-20-6-6.6).

- (14) **Habitually reporting the theft** or loss of food stamps, TANF and/or Social Security monies or cash.
- (15) **Failure to liquidate** countable assets with the prescribed time frame (I.C. 12-7-2-44.6).
- (16) Applicant or household member **refuses to sign the Reimbursement Authorization** for Supplemental Security benefits or enters into a subrogation agreement (if it is reasonably anticipated that there will be a compensation or monetary benefit received from a third party), as provided by statute for repayment of assistance during an interim period. (I.C. 12-20-27-1.5)
- (17) **Failure to apply a "one time only" monetary award** (including but not limited to Retroactive Social Security payments, Workmen's Compensation, pensions, inheritances, insurance settlements, income tax returns, energy assistance payments) toward basic necessities. The township will take into consideration the amount of the monetary award to determine the duration of the denial (I.C. 12-7-2-200.5).
- (18) Applicant or household member has been convicted of an offense under I.C. 35-43-5-7 or I.C. 35-48-4 (**welfare fraud**). A Township Trustee may not extend assistance for one (1) year after a misdemeanor conviction or ten (10) years after a felony conviction.
- (19) Applicant or household member having an **Outstanding Warrant** issued by the Federal, State, or Local Authorities failed to provide written proof to the Trustee that this matter has been resolved.
- (20) Applicant or household member has been **denied assistance or sanctioned** by the local office of the Indiana Division of Family and Children (TANF/AFDC) for non-compliance of / or violations of Title 12, Article 14 of the Indiana Code.
- (21) **Failure to maintain proper immunization records** on minor children can result in denial of township public assistance. (I.C. 12-14-1-1.5).
- (22) **Failure to participate in an education or self-help program** offered under the Job Training Partnership Act or other similar programs, when referred by the township.
- (23) **Failure to file paternity/maternity actions** when necessary and appropriate, or failing to take the necessary legal action to pursue child support (I.C. 12-14-2-24).
- (24) Applicant or household member **fails** to initiate and execute the proper instruments for **obtaining a payee** to handle their finances.
- (25) Applicant or household member has been convicted of **township public assistance fraud** and is ineligible to participate in the township public assistance program for thirty (30) years (I.C. 12-20-1-4).
- (26) Applicant is coming or **moving into the township** for the specific purpose of applying for and/or receiving township public assistance services.
- (27) Medication is **not due** for refill.
- (28) Any request for **other than basic necessities**: (i.e., cable, phone, rent to own, etc.).
- (29) **WASTED RESOURCES**
- (a) Applicant or household resources have been determined to be *wasted*. *Wasted resources* are defined as:

---the amount of money or resources (including one time monetary awards, I.C. 12-7-2-200.5) expended during the thirty (30) days before the date of application for township public assistance by an applicant or an adult member of an applicant's household, and/or thirty (30) days before the delinquency of a utility bill begins for **items or services that are not basic necessities; or**

---income, resources, and/or tax supported services lost or **reduced as a result of a voluntary act**, during the sixty (60) days prior to the date of application unless the adult member can establish a good reason. Income tax may be considered for six (6) months after money is received.

(30) FAILURE TO MAINTAIN EMPLOYMENT:

(a) **Voluntarily terminating gainful employment.** The township will not be obligated to provide assistance for a period of sixty (60) days commencing from the date employment was terminated (I.C. 12-7-2-200.5).

(b) Involuntary termination of gainful employment (**fired**) for a **just cause** (documented). See note above regarding time period for denial. Just cause firing (I.C. 22-4-15-1, I.C. 22-4-15-6.1) is defined as one or more of the following:

(1) Separation initiated by an employer for falsification of an employment application to obtain employment through subterfuge (2) Knowing violation of reasonable and uniformly enforced workplace rule (3) unsatisfactory attendance (4) Damaging workplace property through willful negligence (5) Refusing to obey instructions (6) Reporting to work under the influence of drugs or alcohol or consuming either while on workplace premises during working hours (7) Endangering the safety of self or co-workers (8) Incarceration due to the conviction of a misdemeanor or felony (9) Breach of duty in connection with work (10) Gross misconduct in connection with work.

(c) **Failure to actively seek and/or accept employment** when offered, regardless of whether the compensation is in the form of money, rent, or other basic necessity (I.C. 12-20-10-1). The trustee will refuse to furnish any township public assistance until he is satisfied that the township public assistance applicant or household members are endeavoring to find work. If the township public assistance applicant is in good health or if any adult household members are in good health, the Trustee will require those able to work to seek employment if the current household income is not enough to cover basic living expenses. Employment sought/secured must be enough hours and/or pay to cover basic living expenses. Each able-bodied adult household member will be required to maintain an updated employment file with the Indiana Department of Employment and Training Services, as well as provide other reasonable documentation that they are endeavoring to secure employment. The Township Trustee will require any adult household member to complete a job search form prior to receiving township public assistance. If a township public assistance applicant or household member claims an inability to work due to health, the Trustee has two (2) options: #1- The client need to have their physician fill out the Trustees medical form stating why they cannot work or #2- The Trustee may require and provide for any medical examination necessary for the Trustee to determine whether they are able to perform work (I.C. 12-20-10-3.5). If the applicant or any other household member, who is otherwise eligible for assistance, is unemployed, the Trustee will require each one to furnish written verification of having submitted at least ten (10) employment applications. Applications must be currently dated and non-repetitive and commensurate with the applicant's qualifications. The prospective employee is required to dress and conduct him/herself appropriately to increase every opportunity for employment. Individuals engaged in educational efforts, technical schools, or similar programs may insist that they are unavailable for work search or employment. If this be the case, the Trustee is not under any obligation to assist, unless the individual has been referred to the educational program by the Trustee I.C.12-20-12-1).

(31) HOUSING:

(a) **Landlord refuses** to accept voucher from the Trustee.

- (b) **Eviction** from living quarters because of an act that violated the terms of a lease or landlord/tenant agreement, by the applicant or any adult member of the applicant's household (I.C. 12-7-2-200.5). This includes an act which caused verifiable damage to a rental unit or when adults not on the lease are allowed to use or move into the household (I.C. 12-7-2-200.5).
- (c) **Eviction** from subsidized housing. Eviction from living quarters because of an act that violated terms of a lease or landlord/tenant agreement, by the applicant or any adult member of the applicant's household. (See **appendix - HUD regulations**).
- (d) If applicant or household member is in bad standing & owes HUD money
- (e) Only the **current month's rent** will be considered for assistance when no judgment for eviction and/or back rent has been taken against the applicant or household member.
- (f) **Failure to accept free or low-cost shelter arrangements** provided by relatives or others. The Trustee is not required to provide shelter assistance to an otherwise eligible individual if:
 - (1) the applicant's most recent shelter was provided by a parent, guardian, or foster parent; *and*
 - (2) the applicant, without just cause, leaves that residence for the shelter which the applicant now seeks assistance (I.C. 12-20-16-17g).
- (g) **Household assets have been assigned or transferred** by an applicant or another member of the household for the purpose of rendering a household eligible for township public assistance during the six (6) month period immediately preceding the filing of an application for township public assistance.
- (h) Applicant or household member **refuses to allow a home visit**.

(32) **UTILITIES:**

- a. Utility bill is **not** in "disconnect" status.
- b. Utility bill is **not** in **legal name of an adult** member of the household. (Refer to page 11)
- c. **Failure to make deferred payments** as agreed upon to Utility Company may result in denial of Township Public Assistance.
- d. **Failure to comply with budget billing** may result in denial of township public assistance.
- e. **Failure to make good faith** payments during the moratorium
- f. Utility bill is **incurred in another township**.
- g. Delinquent utility services were incurred more than the allowable limit

(33) **FUNERAL'S:**

- (a) Funeral Home **failed** to contact Trustee's Office **before** arrangements were made.
- (b) Client being a **recipient or parent** of a Medicaid recipient is **not** eligible for Trustee assistance until they have checked with Medicaid to see what they will cover. (I.C. 12-14-6-1 & I.C. 12-14-6-2)

VI. Appeal of Denial for Township Public Assistance

If an applicant for or recipient of township public assistance is not satisfied with the decision rendered, the applicant/recipient may request a review and reconsideration of the application. To request a review and reconsideration of the application, the applicant/recipient is required to furnish to the Trustee's office, within Three (3) days of any partial or complete denial for assistance, orally or in writing the reasons he/she believes the decision is in error.

Concerns may be addressed to:

Fairfield Township Trustee
718 Wabash Avenue
Lafayette, IN 47905

If the request for review and reconsideration is not successful, and the final decision made by the Trustee is not acceptable to the applicant/recipient, the Trustee will extend the applicant's/recipients right to appeal the final decision to the Tippecanoe County Board of Commissioners within fifteen (15) days from the date of the final decision.

The Tippecanoe County Commissioners will conduct a hearing on the appeal. In hearing an appeal, the **Commissioners will be governed by the township's public assistance standards** for determining eligibility to the extent that the standards comply with existing law for the granting of township public assistance. If no legally sufficient standards have been established, the Commissioners will be guided by the circumstances in each case. If the Commissioners or any other court finds any provision of these standards to violate an ordinance, statute, or the Indiana or U.S. Constitution, then all other provisions of these standards will remain in full force and effect.

The applicant/recipient making the appeal must be present at the hearing conducted by the Commissioners. The Township Trustee or the Trustee's representative, will be notified in writing of the hearing date and time by the Commissioners, but the failure of the Township Trustee or the Trustee's representative to be present is not cause for postponement of the hearing unless the Trustee requests and is granted a continuance. A continuance requested by the Township Trustee does not reduce the period required for a decision.

The Commissioners will hold a hearing, as soon as possible, after the filing of an appeal, but not more than ten (10) working days after the appeal form is received in the office of the Commissioners. After the hearing, the Commissioners will issue a written decision that must:

- (1) appear in the official record of the Board of Commissioners.
- (2) be issued to the appellant and the Township Trustee not more than five (5) working days following the date of the hearing.
- (3) state the legal and factual basis for the decision.
- (4) advise the appellant and the Township Trustee of the right to judicial review and the period prescribed for requesting judicial review.
- (5) inform the appellant of the availability of free legal counsel for the indigent.

The Township Trustee, as administrator of township public assistance, will carry out a decision of the Commissioners to sustain, increase, grant, or otherwise modify township public assistance, only if the Commissioners comply with the requirements for a written decision, as listed above.

The Township Trustee or an applicant may appeal a decision of the Commissioners to a circuit or superior court with jurisdiction in the county. In hearing an appeal, the court will be governed by the township's public assistance standards for determining eligibility and granting township public assistance in the township. If legally sufficient standards have not been established, the court will be guided by the circumstances of the case.

If the court sets aside a decision of the Commissioners in favor of an applicant, the Township Trustee may deny any further assistance to the applicant or seek to recover the amount of any assistance awarded as a result of the Commissioners' decision.

VII. Office Safety and Procedure

For the purpose of safeguarding the office and employees of the township, the Trustee will immediately report any unruly or unlawful behavior of visitors to the township office to proper authorities for prosecution. Additionally, the Trustee may seek an immediate court protective order against any individual exhibiting such behavior, which will terminate the Trustee's responsibilities to any such individual and will bar such individual from further contact with the Trustee's office.

Conclusion

All decisions regarding eligibility will be based on the foregoing standards. These standards, adopted by the Fairfield Township Board, will be placed in a prominently visible location at the Trustee's office and be filed with the County Commissioners. Members of the public will be permitted to copy these standards at their own expense. The standards will be reviewed and updated annually to reflect changes in the cost of basic necessities in the township and changes in the law. The Township Trustee is intent on assisting the township's indigent and will endeavor to provide necessary assistance within the limits of the standards herein and the laws of the State of Indiana.

Complaints

If for any reason, a member of a township trustee's community is dissatisfied with their services, they may inform the Fairfield Township Trustee, Taletha Coles in writing at:

718 Wabash Avenue
Lafayette, IN 47905