

# The Low Income Home Energy Assistance Program (LIHEAP)

## Pennsylvania Advocates Manual 2020–2021 Edition



PRODUCED BY THE PENNSYLVANIA UTILITY LAW PROJECT  
118 LOCUST STREET, HARRISBURG, PA 17101  
(717) 236-9486  
PULP@PALEGALAID.NET

ELIZABETH R. MARX, ESQ.  
JOHN SWEET, ESQ.  
RIA PEREIRA, ESQ.  
GIOVANNA BRACKBILL  
KRISTEN GEESAMAN  
LAURA EDINGER  
MADI KEATON

## **Preface**

We are pleased to provide you with the 2020-2021 electronic edition of *The Low Income Home Energy Assistance Program (LIHEAP) Pennsylvania Advocates Manual*. The manual is developed and produced by the Pennsylvania Utility Law Project (PULP) for use by members of the Pennsylvania Legal Aid Network and others who assist low income individuals. We hope that you find it to be of value to you and the members of your staff. Please feel free to copy as needed, circulate, and maintain a copy in your reference library.

**The updated 2020-2021 Manual is different from earlier editions circulated in prior years. Please replace any older version.** This year's edition reflects program changes, current forms, references, website links, as well as additional issues and advocacy suggestions pertaining to the COVID-19 pandemic. The footnotes contain citations to the 20-21 LIHEAP State Plan<sup>1</sup> and relevant legal authority for your reference. In the Appendices, you will find contact lists and resources to assist in your advocacy.

The different aspects and components of LIHEAP often change from year to year and can be confusing to advocates and applicants. Many eligible consumers do not apply, and those who do apply often receive less than their full potential benefits. We intend this Manual to be a working reference that aids understanding of and access to the benefits provided by Pennsylvania's LIHEAP. We value and request your input regarding the success of the Manual in meeting your needs and welcome any suggestions for modification.

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<sup>1</sup> All references to the State Plan in this manual refer to the Final 2020-2021 State Plan. PA. DEP'T OF HUMAN SERVICES, LIHEAP STATE PLAN (FY 2020-2021) (hereinafter 20-21 LIHEAP STATE PLAN), available at [https://www.dhs.pa.gov/Services/Assistance/Documents/Heating%20Assistance\\_LIHEAP/State%20Plan%2020-21.pdf](https://www.dhs.pa.gov/Services/Assistance/Documents/Heating%20Assistance_LIHEAP/State%20Plan%2020-21.pdf).

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## 2020-2021 LIHEAP PROGRAM IN BRIEF

### Summary of Updates and Changes for the 2020-2021 LIHEAP Program Year<sup>2</sup>

Program Dates:<sup>3</sup>

- |                    |                    |                       |
|--------------------|--------------------|-----------------------|
| • Cash Grant       | opens Nov. 2, 2020 | closes April 9, 2021; |
| • Crisis Grant     | opens Nov. 2, 2020 | closes April 9, 2021; |
| • Crisis Interface | opens Nov. 2, 2020 | closes April 9, 2021; |

The Department of Human Services (DHS)<sup>4</sup> may extend or shorten program dates depending on availability of funds.<sup>5</sup>

Eligibility: Eligibility is set at 150% of the Federal Poverty Income Guidelines for Cash Grants, Crisis Grants, and the Crisis Interface Program.<sup>6</sup>

FY 20-21 LIHEAP Household Income Limits<sup>7</sup>

Household Size	150% FPL
1	\$ 19,140
2	\$ 25,860
3	\$ 32,580
4	\$ 39,300
5	\$ 46,020
6	\$ 52,740
7	\$ 59,460
8	\$ 66,180
9	\$ 72,620

For each additional person add: \$6,720

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<sup>2</sup> There may be modifications made during the 2020-2021 LIHEAP program year. Please be alert for any changes.

<sup>3</sup> 20-21 LIHEAP STATE PLAN AT ii.

<sup>4</sup> The Department of Public Welfare changed its name to the Department of Human Services in November 2014.

<sup>5</sup> 20-21 LIHEAP STATE PLAN at ii.

<sup>6</sup> 20-21 LIHEAP STATE PLAN AT § 601.31(1). Also, households may be eligible for additional assistance through the Weatherization Assistance Program, some of which is funded by LIHEAP, run through the Pennsylvania Department of Community and Economic Development (DCED). This program provides comprehensive energy efficiency and weatherization for households with income up to 200% of the federal poverty income guidelines. More information about WAP can be found here: <https://dced.pa.gov/programs/weatherization-assistance-program-wx/>

<sup>7</sup> *Id.* at iv.

Grant Amounts:<sup>8</sup>CASH

- o Minimum Cash grant will be \$200.
- o Maximum Cash grant will be \$1,000.

CRISIS

- o Minimum Crisis grant will be \$25.
- o Maximum Crisis grant will be \$800.

## Changes to LIHEAP in 2020-2021

**Preseason Applications and Compass Postcards:** Preseason applications and COMPASS postcards were mailed out to all households who received LIHEAP last year. Some postcards were delayed due to printer issues and postal service delays. Instead of receiving a paper application, certain households will receive postcards in the mail which enables them to apply for LIHEAP on COMPASS. Households who receive a postcard can apply through COMPASS as soon as the mailing is received, and Cash grants may be issued early. Households who do not wish to apply for LIHEAP on COMPASS can receive a paper application from either the LIHEAP Helpline at 1-866-857-7092 or their CAO.<sup>9</sup>

**Cash Grant Formula:** There has been a change to the maximum Crisis grant benefit, which has increased the amount from \$600 to \$800 dollars in anticipation of federal funding.<sup>10</sup>

**COVID-19:** CAOs remain closed to the public due to COVID-19. Drop boxes were installed at most CAOs (at least one in each county) to allow applications to be submitted in person. Social service providers and others can request LIHEAP flyers and blank paper applications in English and Spanish.

**COVID-19 Policy on Documentation of Income & Household Composition:** Due to the COVID-19 health crisis, it is now permissible to accept a client's statement as verification of income or household composition if they are unable to acquire the requested documentation, third-party verification by the caseworker has not been possible, or the household is receiving other benefits that have already accepted the client's statement. Accepting client statements as verification during this emergency is sufficient verification as provided in 55 Pa. Code Section 601.101. **Applicants must affirmatively request that the CAO accept verbal certification.**

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<sup>8</sup> 20-21 LIHEAP STATE PLAN at v - vi.

<sup>9</sup> *Id.* at 2.

<sup>10</sup> *Id.* at vii.

**Temporary Census Income and Stimulus Payments excluded from calculation:**

Section 601.84 of the Pennsylvania State Plan specifically excludes certain income when calculating a household's gross yearly income for the purposes of establishing LIHEAP eligibility.<sup>11</sup> DHS has indicated in the 2020-2021 State Plan that temporary census income and stimulus payments will be excluded from LIHEAP benefit determinations.<sup>12</sup>

**Clarifications that Continue to Require Attention**

**Public utilities that operate Customer Assistance Program (CAPs) are required to apply the LIHEAP cash component benefits only to the CAP customer's monthly 'Asked to Pay' or 'CAP Payment' amount.** Specifically, it must be applied only to resolve past due CAP payments, then to current CAP payments. Any remaining funds must be applied to future CAP payments.<sup>13</sup> No LIHEAP funds may be applied to a CAP customer's pre-program arrearages or unbilled usage amounts.<sup>14</sup> DHS makes no distinction between a Percentage of Income Payment Plan (PIP or PIPP) CAP program or a Rate Discount CAP program. The purpose of LIHEAP is to help low income households meet their home heating needs. The LIHEAP Federal statute, regulations and Pennsylvania's approved state plan all require that LIHEAP funds be applied in full to the account of those households determined LIHEAP eligible. A fuller discussion of this issue is found at pages 26 - 28 of this Manual.

DHS is obligated to provide assistance that would resolve a home-heating crisis within 48 hours, but has clarified that a **life-threatening crisis that is a documented medical emergency must be resolved within 18 hours.**<sup>15</sup> DHS has not provided guidance as to how or if this documentation requirement will affect Crisis applicants with a life-threatening crisis situation. Please advise PULP if you have a client who has been negatively affected.

**Furnace replacement** is specifically designated as an appropriate activity within the Crisis Interface Program.<sup>16</sup> However, the Crisis Interface Policy of the State Plan states that **if the furnace has not been operating within past two heating seasons, it may not be eligible for Crisis services**, as a furnace that has not been working for that long of a period of time may not be considered to be a weather-related emergency. The applicant must provide proof of a home heating emergency to be eligible for Crisis Interface.<sup>17</sup> The State Plan allows for some consideration on a case by case basis.

<sup>11</sup>20-21 LIHEAP STATE PLAN at app. B § 601.84.

<sup>12</sup> *Id.* at app. B § 601.84 (24).

<sup>13</sup> *Id.* at app. B § 601.45.

<sup>14</sup> *Id.*

<sup>15</sup> See *id.* at app. B § 601.4.

<sup>16</sup> 20-21 LIHEAP STATE PLAN, at app. C § II.

<sup>17</sup> *Id.* at app. C § II.

# LIHEAP: PA ADVOCATES MANUAL 2020-2021 EDITION

*Prepared by the Pennsylvania Utility Law Project*

## Introduction

This Manual is produced by the Pennsylvania Utility Law Project (PULP) for members of the Pennsylvania Legal Aid Network and others who assist low income individuals. It is intended as a general reference guide and is not intended to be a substitute for direct legal advice in individual cases. The footnotes contain citations for your reference. The Appendices contain additional resources and contact information. Website references can be found throughout. The authors welcome your questions and comments on this manual.

## LIHEAP in Brief

The Low Income Home Energy Assistance Program (LIHEAP) provides low income households with assistance to help pay the costs of home energy consumption. In Pennsylvania, LIHEAP grants are provided to assist with the cost of heating a residence during the cold weather months.

LIHEAP is funded by the Federal Government through a block grant administered by the states. In Pennsylvania, the Department of Human Services (DHS) administers the LIHEAP program through local County Assistance Offices and other agencies.

In 2020-2021 LIHEAP assistance can take three different forms. A particular household may be eligible for more than one of these different forms of assistance, and advocates should consider each LIHEAP component for every household:

- **Cash Component:**

The LIHEAP Cash component provides an annual financial grant to assist a household to pay for heating costs. To receive a Cash grant, a household does not need to be behind on their bill.

A Cash grant is paid directly to the household's heating fuel vendor and/or utility company. In limited circumstances, the grant may be paid directly to the participating household. The amount of the Cash grant differs depending on various factors at the time of application, including household size, income, fuel type, and geographic region.<sup>18</sup> The set formula for the grant amount is discussed below. **This year, Cash grants will range from a minimum \$200 to a maximum \$1000.**<sup>19</sup>

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<sup>18</sup> *Id.* at app. B § 601.41.

<sup>19</sup> *Id.* at v-vi.



- **Crisis Component:**

The Crisis component provides emergency grant assistance to qualified households to resolve a home heating crisis caused by a lack of heating-related utility service, a pending utility termination notice, an actual or imminent lack of a deliverable fuel (such as home heating oil, propane, etc.).<sup>20</sup> Any household requiring less than \$25 to resolve a home heating emergency will not be eligible to receive a Crisis grant.<sup>21</sup>

**This year, Crisis grants can provide a maximum of \$800 in Crisis assistance.** If less than \$800 is required to resolve a crisis, a household can apply for a second or subsequent Crisis grant in the same season if they face another crisis, up to the maximum grant level.<sup>22</sup>

- **Crisis Interface/Weatherization Assistance Component:**<sup>23</sup>

The Crisis Interface and Weatherization Assistance component of LIHEAP provides emergency repair or replacement of the heating system, furnace, or fuel line for households with a broken or inoperable primary heating system. Traditional weatherization services may supplement the repairs to help improve home comfort and reduce energy usage.<sup>24</sup>

**The same application form may be used to apply for each of the LIHEAP components.**

An individual may be able to designate a different vendor to receive different types of grant payments; for example, a Cash grant may be designated to an oil vendor and a Crisis grant to the electricity provider.

**LIHEAP is available to both renters and homeowners.**<sup>25</sup> Renters who pay for heat indirectly as a part of rent (rather than directly to a fuel vendor or utility) are generally eligible for LIHEAP Cash grants, but will receive only 50% of the benefit for which they would otherwise be eligible.<sup>26</sup> Renters who pay for heat indirectly through rent will receive a check directly from DHS. *However, LIHEAP is not available to renters who pay for their heat indirectly if their rent is based on a percentage of their household income.*

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<sup>20</sup> 20-21 LIHEAP STATE PLAN, at app. B § 601.62. For deliverable fuel customers, a household must have 15 days of fuel or less to qualify for a Crisis grant.

<sup>21</sup> See 20-21 LIHEAP STATE PLAN, at vii.

<sup>22</sup> 20-21 LIHEAP STATE PLAN, at app. B § 601.63.

<sup>23</sup> This component is the only component not administered completely within DHS. DHS makes the Crisis eligibility determination, but the Department of Community and Economic Development (DCED) administers the repair and replacement segment. See 20-21 LIHEAP STATE PLAN, at app. C § I.

<sup>24</sup> See *id.*

<sup>25</sup> See *id.* at app. B § 601.3.

<sup>26</sup> *Id.* at app. B § 601.42.

The LIHEAP State Plan says that these households do not have home heating responsibility and, thus, are not eligible for LIHEAP Cash grants. There are, however, circumstances where they would be eligible for LIHEAP Crisis grants. Specifically, if a household pays for a secondary heating source directly (typically, electricity) and that heating source is needed to run their primary heating source, the household can receive a Crisis grant if their service has already been terminated or they are otherwise at risk of termination.

Eligible households may reapply for and receive Cash and Crisis assistance each program year.

Liens will not attach to a home as a result of receiving LIHEAP assistance.

## Resources and Authority

DHS maintains a Heating Assistance/LIHEAP [website](#).<sup>27</sup>

Every year, DHS must update the LIHEAP State Plan<sup>28</sup> with program guidelines and parameters, such as program opening and closing dates, funding levels, and eligibility criteria. DHS publishes a Proposed State Plan during the summer months which is subject to public comments and public hearings in which anyone may participate. After comments are received and reviewed, DHS publishes a Final State Plan that governs the LIHEAP operation for that program year. The LIHEAP Cash and Crisis rules for the program year are found in Appendix B of the Final State Plan. Information regarding Crisis Interface and the Weatherization Assistance Program may be found in Appendix C of the Final Plan. The current State Plan is found online at this [link](#).<sup>29</sup>



**Advocacy Tip:** Advocates should use rules found in Appendix B of the 20-21 LIHEAP STATE PLAN when making arguments to County Assistance Offices and LIHEAP administrators, as these are the most up to date.

DHS also provides a [LIHEAP Policy Handbook](#) for its caseworkers. The Handbook includes Operations Memoranda which are issued periodically, and which indicate the most recent LIHEAP procedures and policies. The most recent publicly available Handbook is found online at: <http://services.dpw.state.pa.us/oimpolicymanuals/liheap/index.htm>.

The 2020-2021 [Cash grant benefit tables](#), which indicate the amount of the Cash grant to which each household is entitled, may be found online at: [https://www.humanservices.state.pa.us/LIHEAP\\_BENEFIT\\_TABLE/](https://www.humanservices.state.pa.us/LIHEAP_BENEFIT_TABLE/).

<sup>27</sup> The LIHEAP website address is: <http://www.dhs.pa.gov/citizens/heatingassistanceliheap/>

<sup>28</sup> The link address for the 2020-2021 LIHEAP State Plan is:

[http://www.dhs.pa.gov/cs/groups/webcontent/documents/document/c\\_279179.pdf](http://www.dhs.pa.gov/cs/groups/webcontent/documents/document/c_279179.pdf)

<sup>29</sup> *Id.*

A LIHEAP application may be completed online through the COMPASS program at [www.compass.state.pa.us](http://www.compass.state.pa.us), or a paper application may be mailed or hand delivered to the local County Assistance Office.<sup>30</sup> CAOs remain closed to the public due to COVID-19. Drop boxes were installed at most CAOs to allow applications to be submitted in person.

Application assistance is available.<sup>31</sup> Upon request, LIHEAP staff will mail an application form or take other steps such as referral to other agencies that make home visits to help homebound persons apply for LIHEAP benefits.<sup>32</sup>

Applicants may get an automated eligibility determination if they apply on COMPASS and the applicant's income is already known to DHS because they receive other benefits, such as SNAP (food stamps), medical assistance, or TANF (cash).<sup>33</sup> Even with automated eligibility, applicants may still have to verify their home heating responsibility.<sup>34</sup>

The English version of the paper application may be downloaded from the DHS website at: [https://www.dhs.pa.gov/Services/Assistance/Documents/Heating%20Assistance\\_LIHEAP/HSE\\_A-1.pdf](https://www.dhs.pa.gov/Services/Assistance/Documents/Heating%20Assistance_LIHEAP/HSE_A-1.pdf).

The Spanish version of the paper application may be downloaded from the DHS website at: [https://www.dhs.pa.gov/Services/Assistance/Documents/Heating%20Assistance\\_LIHEAP/HSE\\_A-1-S.pdf](https://www.dhs.pa.gov/Services/Assistance/Documents/Heating%20Assistance_LIHEAP/HSE_A-1-S.pdf). They are also appended to this manual at Appendix B.

The addresses and phone numbers of local County Assistance Offices can be found online at: <https://www.dhs.pa.gov/Services/Assistance/Pages/CAO-Contact.aspx>. Appended to this manual as Appendix D is a list of the LIHEAP Supervisors for each county.

## Legal Authority

LIHEAP is a Federal block grant program through the US Department of Health and Human Services.<sup>35</sup> It is authorized by the Low Income Home Energy Assistance Act (Pub. L. 97- 35, 42 U.S.C.A. §§ 8621-8629), as amended by the Human Services Reauthorization Act (Pub. L. 98-558, 98 Stat. 2878), the Human Services Reauthorization Act of 1986 (Pub. L. 99-425, 100 Stat. 966), the Augustus F. Hawkins Human Services Reauthorization Act of 1990 (Pub. L. 101-501), the National Institutes of Health Revitalization Act of 1993 (Pub. L. 103-43), the Low Income Home Energy Assistance Amendments of 1994 (Pub. L. 103-252), the Coats Human Services

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<sup>30</sup> 20-21 LIHEAP STATE PLAN at app. B §§ 601.21, 601.22.

<sup>31</sup> *See id* at app. B § 601.24.

<sup>32</sup> *Id.*

<sup>33</sup> *Id.* at app. B § 601.22.

<sup>34</sup> *See id.*

<sup>35</sup> The U.S. Department of Health and Human Services website page dedicated to LIHEAP can be found at: <http://www.acf.hhs.gov/programs/ocs/programs/liheap>.

Reauthorization Act of 1998 (Pub. L. 105-285), and the Energy Policy Act of 2005 (Pub. L. 109-58).<sup>36</sup>

While Federal law forms the legislative basis for the LIHEAP program, the annual State Plan contains the policies governing implementation of the program each year. The State Plan includes Program Updates, DHS/DCED Crisis Interface, Assurances, and three appendices with rules governing the LIHEAP programs.

**Advocates should pay special attention to LIHEAP State Plan “Appendix B – Determination of Eligibility for LIHEAP Cash and Crisis Benefits.”** This section of the Plan provides guidelines for the Cash and Crisis grants, which are the most commonly accessed components of LIHEAP.

“Appendix C - Weatherization Assistance Program” contains information concerning both the Crisis Interface Program as well as the Department of Community and Economic Development (DCED) administered weatherization programs.

## Administration

The Department of Human Services administers LIHEAP in Pennsylvania.<sup>37</sup>

*Cash Grants:* For the most part, DHS uses the County Assistance Office (CAO) as the administering agency for the Cash grant.<sup>38</sup> DHS coordinates the activities of several counties and the State Processing Center typically processes LIHEAP applications for several counties.

*Crisis Grants:* DHS uses several different agencies to assist in the delivery of the Crisis program.<sup>39</sup> These agencies include CAOs, community action agencies, the Department of Community and Economic Development, and other local organizations.

*Crisis Interface:* DHS and the Department of Community and Economic Development (DCED) jointly administer the Crisis Interface/Weatherization Assistance component.<sup>40</sup> DHS makes the eligibility determination, and DCED administers the heating system repairs, furnace replacements where warranted, and any appropriate weatherization treatments.<sup>41</sup>

***County staff members administering LIHEAP may not always be fully aware of the details of the current year’s program.*** LIHEAP is only one of many programs the CAOs implement; it is

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<sup>36</sup> 20-21 LIHEAP STATE PLAN, at app. B § 601.1.

<sup>37</sup> 20-21 LIHEAP STATE PLAN at i.

<sup>38</sup> *Id* at app. B § 601.5.

<sup>39</sup> *See id.*

<sup>40</sup> *Id* at app. C § I.

<sup>41</sup> *See id.*

available only part of the year; and its operations and guidelines are often modified within the course of a single year. In addition, many of the CAOs hire temporary energy assistance workers to staff the LIHEAP program, and these workers often become familiar with program guidelines at the same time the first applicants enter the system. Application delays beyond the mandated 30-day determination period are therefore not surprising.



**Advocacy Tip:** While DHS has modified its training and monitoring process to expedite processing, advocates should encourage individuals to apply for Cash grants early in the season to reduce any negative effect on applicants as a result of processing delays.

In the 20-21 Plan, DHS anticipates receiving \$200 million, based on the previous year's allocation.<sup>42</sup> At the time the State Plan was finalized, DHS anticipates carrying forward a balance of \$12 million. This results in a total anticipated budget of \$212 million. Approximately \$159 million of the \$212 million will be allocated to LIHEAP Grants.

An appeal process is available for individuals to challenge CAO decisions or failures to act on LIHEAP applications.<sup>43</sup> A Fair Hearing can be requested through the local LIHEAP office.<sup>44</sup> Individuals have 30 days to file an appeal with their local CAO in a process that is further detailed in the "Appeals" section of this manual.<sup>45</sup>

## **Timetable**

In 2020-2021, DHS's opening date for both the Cash and Crisis components, including Crisis Interface, is November 2, 2020 with a closing date estimated to be April 9, 2021.<sup>46</sup>

The length of the program is dependent on the availability of funds as the program year progresses, so DHS may shorten or extend the closing date.<sup>47</sup> In some previous years, DHS has often extended the program closing date several weeks into April, when funding was available.

## **General Eligibility**

To qualify for and receive benefits, an individual must meet several eligibility requirements. For all components of LIHEAP, a household must meet household income, home heating responsibility, Pennsylvania residency, and immigration status requirements (discussed below).<sup>48</sup>

<sup>42</sup> 20-21 LIHEAP STATE PLAN at i.

<sup>43</sup> 20-21 LIHEAP STATE PLAN AT app. B § 601.123.

<sup>44</sup> *See id.*

<sup>45</sup> *See* 55 PA. CODE § 275.3(b)(1) (1981); PA. DEP'T OF HUMAN SERVICES, SUPPLEMENTAL HANDBOOK § 870.12 (Sept. 27, 2012), <http://services.dpw.state.pa.us/oimpolicymanuals/supp/index.htm>.

<sup>46</sup> 20-21 LIHEAP STATE PLAN AT iii.

<sup>47</sup> 20-21 LIHEAP STATE PLAN, AT app. B § 601.6(b).

<sup>48</sup> *See id.* at app. B § 601.31.

For Crisis grant or Crisis Interface (emergency furnace) assistance, a household also must also be facing an actual or imminent home heating emergency that will be resolved through receipt of a Crisis grant or, in the case of the Crisis Interface program, through the repair or replacement of home heating equipment.<sup>49</sup>

## **Household Income**

For 2020-2021, Pennsylvania has set the income eligibility level for both Cash and Crisis at 150% of the 2021 Federal Poverty Guidelines.<sup>50</sup> The income eligibility level for the Crisis Interface program is 150% of the Federal Poverty Income Guidelines.<sup>51</sup> However, the income eligibility level for the Weatherization Assistance Program is 200% of the 2021 Federal Poverty Income Guidelines.<sup>52</sup> Income eligibility levels for the 2020-2021 LIHEAP program year can be found in Appendix A of this Manual or DHS eligibility charts.<sup>53</sup>

## **Income Calculation**

Gross annual income is used to determine both a household's eligibility and Cash grant amount.<sup>54</sup>

The **applicant** is given the discretion to choose between two time periods to be used in calculating their gross annual income.<sup>55</sup> **The applicant may choose to:**

- use their income from the previous 12 months or
- use their income from the calendar month immediately prior to the date of the application, multiplied by 12 (monthly amounts are converted to a yearly figure).<sup>56</sup>



**Advocacy Tip:** Advocates should help clients to determine which of the time frames (12 months or past calendar month) is the most beneficial. In some cases, the time frame may make a tremendous difference in eligibility and grant amount. CAOs most often default to using the prior month of income, so applicants should specifically request that the CAO calculate using the last 12 months of income if that is more beneficial.

Income for recipients of SNAP, Cash, or Medical benefits from DHS will be annualized based on the gross income on DHS's Client Information System.<sup>57</sup> Applicants in this situation who would have a lower income based on the previous month's income can ask the CAO to use monthly

<sup>49</sup> See *id.* at app. B § 601.32 (details regarding the specific eligibility requirements for Crisis grants).

<sup>50</sup> *Id.* at app. B § 601.31(1).

<sup>51</sup> 20-21 LIHEAP STATE PLAN, at 2.

<sup>52</sup> *Id.*

<sup>53</sup> PA. DEP'T OF HUMAN SERVICES, LIHEAP ELIGIBILITY INCOME CHART (2020-2021),

<http://www.dhs.pa.gov/citizens/heatingassistanceliheap/homeheatingassistanceliheapeligibility/index.htm>.

<sup>54</sup> See 19-20 LIHEAP STATE PLAN at app. B §§ 601.81 – 84.

<sup>55</sup> See *id.* at app. B § 601.83(a).

<sup>56</sup> *Id.*

<sup>57</sup> *Id.*

income if the system automatically calculates a benefit amount and the applicant believes that it should be a higher amount because of lower income based on a different method.<sup>58</sup>

## **Household Size**

For the purposes of LIHEAP, a household is defined as an individual or a group of individuals, including related roomers,<sup>59</sup> who live together as one economic unit and customarily pay for home heating energy.<sup>60</sup> However, an individual who has previously received a LIHEAP cash benefit as a member of another household during the program year is not included in the household size.<sup>61</sup> Neither are temporary visitors, institutional residents, individuals who do not meet the immigration requirements, or individuals who are currently incarcerated or considered a fleeing felon.<sup>62</sup>

## **Whose Income Counts?**

Income for an applicant household includes gross annual income for **all** of the following people:

- all household members, regardless of relationship,<sup>63</sup>
- a roomer related by blood, marriage, or adoption to a household member,<sup>64</sup> and
- a person living with the applicant who, as a member of another household, has already received a LIHEAP Cash or Crisis grant during the present program year.<sup>65</sup>

Note: Some individuals do not count for purposes of household size (i.e. fleeing felons, those not meeting immigration status, etc.), but their income does count for the purposes of determining household income in relation to the Federal Poverty Level.

Gross income is the total earned and unearned income of the household, including:

- employee earnings,
- profit from self-employment,
- income from roomers, boarders or apartment renters, and

<sup>58</sup> *See id.*

<sup>59</sup> 20-21 LIHEAP STATE PLAN at app.B §§ 601.3 and 601.81. Note that unrelated roomers are treated as a separate household and may qualify for LIHEAP assistance separately – provided the other eligibility requirements (such as home heating responsibility) are met.

<sup>60</sup> 20-21 LIHEAP STATE PLAN, at app. B § 601.3.

<sup>61</sup> *Id.* at app. B § 601.41.

<sup>62</sup> *See id.*

<sup>63</sup> Same sex marriage became legal in the Commonwealth of Pennsylvania on May 20, 2014, when a decision rendered by the United States District Court for the Middle District of Pennsylvania struck down Pennsylvania's 1996 law banning the recognition of same gender marriage as unconstitutional. According to the Operations Memorandum (#14-10-02) dated on October 9, 2014, LIHEAP policy has not changed regarding mandatory household members. Spouses are mandatory household members and must be included in the same LIHEAP household. Compass has been updated and allows applicants to input same-sex spouses.

<sup>64</sup> Roomers who are not related to a household member should not be counted in the household and are eligible on their own for a Cash grant if they meet LIHEAP's eligibility requirement. 20-21 LIHEAP STATE PLAN, at app. B § 601.3.

<sup>65</sup> *Id.* at app. B § 601.81.

- unearned income.<sup>66</sup>

*Note:* Each of these categories of earnings has multiple subcategories.<sup>67</sup> For example, DHS has specifically stated that funds withdrawn from Individual Retirement Accounts, Certificates of Deposit and proceeds from the sale of stock certificates are to be counted as unearned income.<sup>68</sup>

**Some income sources, such as educational assistance, food stamps, and cash or in-kind heating assistance from public or private agencies, are excluded from the calculation of household income for the purposes of establishing eligibility for LIHEAP.**<sup>69</sup> DHS has clarified that *all* students, not just undergraduate students, are able to exclude from household income educational assistance from scholarships, grants and loans.<sup>70</sup>

Other exclusions include:<sup>71</sup>

- Educational scholarships, grants, and loans to a student, unless solely for basic living needs such as food and housing and the amount of income from other sources used to pay out-of-pocket expenses for books and other required educational fees.
- Payments for services or out-of-pocket expenses to volunteers serving as foster grandparents, senior health aids or senior companions, and to persons serving in other programs under Title II of the Domestic Volunteer Service Act of 1973.
- Earned Income Tax Credits, even when paid throughout the year
- Wage earnings of a dependent child under 18
- Medicare premiums deducted from Social Security benefit payments
- **Stimulus payments**
- **Earned income from temporary census employment**
- Payments, including stipends, to volunteers for VISTA, Service-Learning Programs, and Volunteer Programs under Title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C.A. §§ 4951 – 4994)
- Loans which can be verified with a statement from the lender or a loan document specifying the repayment plan
  - *Note:* Since 2017, the exclusion of loans from gross annual income no longer requires that the loans be designated for a specific purpose, **or** be from an established financial institution.<sup>72</sup>

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<sup>66</sup> *Id.* at app. B § 601.82.

<sup>67</sup> *See id.*

<sup>68</sup> *Id.* at app. B § 601.82(4)(xi).

<sup>69</sup> *Id.* at app. B § 601.84(1)-(25).

<sup>70</sup> *Id.* at app. B § 601.84(1)-(2).

<sup>71</sup> *Id.* at app. B § 601.84.

<sup>72</sup> *Id.* at app. B § 601.84(13).



## **Home Heating Responsibility**

**Applicants must have a home heating responsibility** to receive LIHEAP. The following qualify as having a home heating responsibility:

- **Direct Utility / Vendor:** Homeowners or renters (including subsidized housing tenants) who pay for home heating fuel or utility service directly to a fuel vendor or public utility.<sup>73</sup>
  - *Note:* If someone outside the household pays the bill because the household has zero/minimal income, the household is still considered to have a heating responsibility and is eligible to receive LIHEAP unless the bill is always paid by someone outside the household.<sup>74</sup>
- **Indirect Through Rent:** Renters who **pay for heat indirectly** as a part of their rent.<sup>75</sup>
  - *Note:* if a LIHEAP applicant pays for heat as an undesignated portion of the rent - provided the rent itself is not based on a fixed percentage of their income - they are considered to have a heating responsibility.<sup>76</sup>
- **Roomers:** Roomers<sup>77</sup> who pay for their lodging in either a commercial establishment or in a private home which is their permanent and primary home.<sup>78</sup>

### **Home Heating Responsibility - Cash grant:**

To establish home heating responsibility for a Cash grant, the household must show responsibility for paying for the **primary heat source** either directly to a vendor or to a landlord through rent.<sup>79</sup>

Once a household shows responsibility for the primary fuel type, they can choose to have the Cash grant issued to its primary **or** secondary fuel type, and in certain circumstances, to a supplemental fuel type.<sup>80</sup>

- A Cash grant can only be directed to a supplemental fuel type if the main source of heat is inoperable, and the supplemental fuel is the source of energy used most by the household.<sup>81</sup>
- A **secondary** fuel type is the source of energy necessary to operate the primary fuel type, while a **supplemental** fuel type is a source of energy used in addition to the primary fuel type.<sup>82</sup>

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<sup>73</sup> *Id.* at app. B § 601.31(2)(i)(A).

<sup>74</sup> *Id.*

<sup>75</sup> *Id.* at app. B § 601.31(2)(i)(B).

<sup>76</sup> *Id.*

<sup>77</sup> A roomer is defined as “[a]n individual who has an agreement with an **unrelated** landlord or property owner to rent a room whose payment for lodging includes heat and may include a private bathroom or one of the following: (i) Board. (ii) Kitchen or bathroom privileges on a shared basis. (iii) Light housekeeping facilities.” *Id.* at § 601.3 (emphasis added). DHS could request written verification from the property owner or landlord of the roomer’s occupancy. *Id.* at vi.

<sup>78</sup> *Id.* at app. B § 601.31(2)(i)(C).

<sup>79</sup> *Id.* at app. B § 601.31(2).

<sup>80</sup> *Id.* at app. B § 601.41(4).

<sup>81</sup> *Id.*

<sup>82</sup> *Id.* at app. B § 601.3.

### **Home Heating Responsibility - Crisis grant:**

To establish home heating responsibility for Crisis, the household must show it pays for either its primary *or* secondary fuel type either directly to a vendor or indirectly through a third party as a part of rent.<sup>83</sup> For an important comparison of primary and secondary fuel types, as well as supplemental fuel types, please see the Special Issues section of this manual.

Per DHS policy, the following individuals **do not** have a home heating responsibility and cannot receive LIHEAP:

- Renters whose rental charge includes an undesignated amount for heat AND their rental charge is based on a fixed percentage of their income or on their source of income.<sup>84</sup> This would apply to subsidized-housing tenants whose heat is included in their rent.<sup>85</sup>
  - However, if a renter in this situation pays for their secondary fuel type directly to a vendor AND that heating source is necessary for the operation of their primary fuel type, then the household would be eligible for a Crisis grant for their secondary fuel type.
- Roomers whose charge for room/room & board includes an undesignated amount for the main fuel AND the charge for room and board is based on a fixed percentage of their income or on their source of income.<sup>86</sup>
- Households where some other person or agency is *always* responsible for the heating bill (for example, people in subsidized housing who have the bill paid by the housing agency; students).<sup>87</sup> However if the bill is paid by someone outside the household because the household has zero/minimal income, the household is still considered to have a heating responsibility and therefore eligible to receive LIHEAP.<sup>88</sup>

### **Residency**

Household members must permanently reside in Pennsylvania.<sup>89</sup>

### **Temporary Living Arrangements**

Individuals in a temporary living arrangement, such as a visit, vacation, or education, generally do not qualify for LIHEAP.<sup>90</sup> People living in institutions, dormitories, fraternity or sorority houses, or boarding homes are ineligible.<sup>91</sup>

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<sup>83</sup> *Id.* at app. B § 601.31(2).

<sup>84</sup> *Id.* at app. B § 601.31(2)(i)(B).

<sup>85</sup> *Id.*

<sup>86</sup> *Id.* at § 601.31(2)(i)(C).

<sup>87</sup> *Id.* at app. B § 601.31(2)(i)(A).

<sup>88</sup> *Id.*

<sup>89</sup> *Id.* at § 601.31(3).

<sup>90</sup> *Id.* at § 601.31(2)(ii).

<sup>91</sup> *Id.*

College students can apply for and must not be denied LIHEAP eligibility solely on the basis of the temporary living arrangement section of the LIHEAP State Plan.<sup>92</sup> College students with year-round leases or for the school year only are considered residents of the county where they go to school and can qualify for LIHEAP. Generally, a temporary living arrangement is intended to last only for a few days or weeks, while a permanent living arrangement may last months or years.<sup>93</sup>



**Advocacy Tip:** Individuals who have temporarily left their permanent residence as a result of a home heating crisis *are* eligible for a grant for their permanent residence.<sup>94</sup>

### **Recreational Vehicles**

Persons living in recreational vehicles (Campers and RVs) are only eligible for LIHEAP if they provide verification that the recreational vehicle is permanently located in Pennsylvania and they have no other permanent residence, and the heating appliance is being used in accordance with the heating manufacturer’s specifications.<sup>95</sup>

### **Operators of a Licensed Business**

Persons operating a licensed business out of the LIHEAP household’s residence are ineligible for LIHEAP if they use the home’s utilities as a deduction on their business’ tax return **and** a majority (more than 50%) of the home is used for business.<sup>96</sup> DHS will use line 30 of Schedule C of IRS Form 1040 (Profit or Loss from Business) and block 7 of IRS Form 8829 (Expenses for Business Use of Your Home) to determine LIHEAP eligibility for household business owners.<sup>97</sup>

### **Fleeing Felon**

Persons who are currently incarcerated or fleeing to avoid prosecution, custody or confinement after a felony conviction (or high misdemeanor in New Jersey) are ineligible for LIHEAP.<sup>98</sup>



**Advocacy Tip:** There is an open question as to whether it is DHS’s burden to demonstrate that the person is actually “fleeing.” Advocates should carefully scrutinize the facts and, if the situation merits it, file an appeal if the individual has an outstanding warrant for a reason other than fleeing prosecution, custody, or confinement.

<sup>92</sup> See PA. DEP’T OF HUMAN SERVICES, LIHEAP HANDBOOK § 614.1 (Feb. 8, 2013), <http://services.dpw.state.pa.us/oimpolicymanuals/liheap/index.htm>.

<sup>93</sup> See *id.* at § 614.2..

<sup>94</sup> See 20-21 LIHEAP STATE PLAN app. B § 601.105.

<sup>95</sup> *Id.* at app. B § 601.31(2) (iii).

<sup>96</sup> *Id.* at § 601.31(2)(iv).

<sup>97</sup> PA. DEP’T OF HUMAN SERVICES, POLICY CLARIFICATION OF LIHEAP ELIGIBILITY FOR HOUSEHOLD BUSINESS OWNERS (Nov. 7, 2011), [http://services.dpw.state.pa.us/oimpolicymanuals/liheap/PLA15989605\\_.pdf](http://services.dpw.state.pa.us/oimpolicymanuals/liheap/PLA15989605_.pdf).

<sup>98</sup> 20-21 LIHEAP STATE PLAN at app. B § 601.31(2)(v).

## **Non-Citizen Status**

Lawfully admitted non-citizens are eligible to receive LIHEAP regardless of when they arrived in the United States, so long as they meet LIHEAP eligibility requirements.<sup>99</sup> Eligible non-citizens include: lawful permanent residents, asylees, refugees, Cuban/Haitian entrants, and non-citizens who have been battered or subjected to extreme cruelty in the United States.<sup>100</sup> Appendix B to the State Plan contains a full list of eligible statuses and acceptable documentation.<sup>101</sup>

**Household may still be eligible for LIHEAP even with household members who don't qualify.** The mere presence of non-eligible persons in the home does not disqualify the household from receiving LIHEAP. DHS has clarified that households with fleeing felons or members ineligible because of their immigration status, may still be eligible for LIHEAP if there are members of the household who meet the eligibility requirement. The caveat is that the income of all members of the household (even ineligible members) counts for income eligibility purposes, however, ineligible household members do not count for household size purposes. For example, if a household contains an undocumented father, a U.S. Citizen mother, and 2 U.S. citizen children, the income of all household members would count, but for determining whether the household meets the income eligibility guidelines, the household size would be three (3), not four (4).

## **Social Security Numbers**

An applicant **does not** need a Social Security number to be eligible for LIHEAP. However, each household member one year of age or older who does not provide a Social Security number must be listed on the Energy Assistance Affidavit.<sup>102</sup> This Affidavit is in the Certification section of the LIHEAP application.

*Note:* The Energy Assistance Affidavit has been more prominently highlighted in the Certification section on page 3 of the LIHEAP application, however the instructions are still somewhat confusing.

## **Operation of Heating Appliance**

The heating appliance must be installed and operating based on the manufacturer's specifications or current code requirements, whichever is more stringent.<sup>103</sup> If not, or if the household isn't following all applicable building and fire codes, that household is not eligible for LIHEAP.<sup>104</sup>

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<sup>99</sup> *Id.* at app. B § 601.31(4).

<sup>100</sup> *See id.*

<sup>101</sup> *Id.* at B-26. The last category (battered or subject to extreme cruelty) can be shown through collateral contacts, affidavits, and eye witness accounts.

<sup>102</sup> 20-21 LIHEAP STATE PLAN at app. B § 601.106

<sup>103</sup> *Id.* at app. B § 601.31(2)(vi).

<sup>104</sup> *Id.*

## Applications

An individual must complete and submit an application to receive LIHEAP.<sup>105</sup> All households that received a LIHEAP grant in 2018-2020 should have had either an application or a postcard informing them of how to apply on-line mailed to their home. Applications are generally available upon request from different sources in the community, such as CAOs, a LIHEAP administering agency, utility companies, or online at DHS's website.<sup>106</sup> Applications are also attached in Appendix B.

*Note:* Because the income eligibility requirements for LIHEAP can differ from year to year and a household may have experienced changes (such as in income level or size), receipt of an application or postcard in the mail does not imply or indicate current eligibility.

An individual also may apply online through the COMPASS website.<sup>107</sup> DHS strongly encourages applicants to apply online through COMPASS. Households using COMPASS may receive an automated eligibility determination, if the income is already known to and verified by DHS because of participation in other programs such as SNAP, MA, or TANF, and the household's address and composition matches the information already in DHS' system.<sup>108</sup> The household will still have to provide proof of home heating responsibility.<sup>109</sup> Please let PULP know if applicants experience any difficulties with the automated eligibility determination.

**The same form is used to apply for each LIHEAP component, including Crisis Interface.**

An individual may need assistance to complete the application. Homebound individuals have the right to request that LIHEAP staff mail an application to them at their home and may also request help in filling out the form.<sup>110</sup>

### **Timing of Application**

The date of application is the date the County Assistance Office or administering agency receives the application.<sup>111</sup> *Where an individual is assisted by a utility, community group, or another party in filling out and forwarding an application, the formal date of application is only when the local CAO or administering agency receives the application.*<sup>112</sup>

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<sup>105</sup> *Id.* at app. B § 601.21.

<sup>106</sup> See PA. DEP'T OF HUMAN SERVICES, LIHEAP BROCHURE - ENGLISH (2016); See also PA. DEP'T OF HUMAN SERVICES, LIHEAP BROCHURE - SPANISH (2016); PA Dep't of Human Services, *Heating Assistance/LIHEAP*, <http://www.dhs.pa.gov/citizens/heatingassistanceliheap/index.htm> (last visited Oct. 11, 2019).

<sup>107</sup> See [www.compass.state.pa.us](http://www.compass.state.pa.us).

<sup>108</sup> 20-21 LIHEAP STATE PLAN at app. B § 601.22.

<sup>109</sup> *Id.*

<sup>110</sup> *Id.* at § 601.24.

<sup>111</sup> *Id.* at § 601.21(3).

<sup>112</sup> *Id.*

DHS has indicated that all households submitting a LIHEAP Cash application in 2020-2021 will receive a system generated notice informing them that their application has been received. This notice will be triggered once the application has been data entered.

As noted above, households using COMPASS may receive an automated eligibility determination if income is already known to and verified by DHS because of participation in other programs such as SNAP, MA, or TANF, and the household's address and membership matches the information already in DHS' system.<sup>113</sup>

## **DHS Response**

The CAO must provide the applicant with a written determination within 30 days of receiving a complete application for a Cash grant.<sup>114</sup> If the Cash grant application is deemed incomplete, the administering agency must send the applicant a notice indicating what information is missing within 10 work days of receipt.<sup>115</sup> The applicant will then have 15 days from the date of that notice to return the missing information in order to avoid rejection of the application.<sup>116</sup>



**Advocacy Tip:** If you have a client who has not applied by or near the end of the LIHEAP season (April 10, 2021) have them apply even if they do not have all of their documentation with them at the time. An incomplete application is not rejected, it is deemed incomplete and the client will then have 15 days from the date of the incomplete notice to submit the documentation. This will allow households nearing the end of the season to have their grant considered.

Although significant Cash grant processing delays have occurred in previous years, DHS's obligation to provide a determination of eligibility within 30 days of receiving a completed application continues to exist.<sup>117</sup> If county offices are routinely failing to comply with this deadline, please alert PULP so that we can bring it to the attention of DHS.

## **Documentation vs. Verification**

DHS uses two different classifications for information submitted in association with LIHEAP: “verification” and “documentation.”<sup>118</sup> “Verification” includes “any form of convincing information, including oral statements or documentation.”<sup>119</sup> “Documentation” meanwhile, is

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<sup>113</sup> 20-21 LIHEAP STATE PLAN at app. B § 601.22.

<sup>114</sup> *Id.*

<sup>115</sup> *Id.* at app. B § 601.23.

<sup>116</sup> *Id.*

<sup>117</sup> *See id.* at app. B § 601.22.

<sup>118</sup> *See id.* at app. B § 601.101.

<sup>119</sup> *Id.* at app. B § 601.101(1).

“written or printed evidence, such as fuel bills, rent receipts, or pay stubs, which is needed to determine LIHEAP eligibility and the type and amount of the LIHEAP benefit.”<sup>120</sup>

**Due to the COVID-19 health crisis, it is now permissible to accept a client’s statement as verification of income or household composition if they are unable to acquire the requested documentation as a result of COVID-19 and third-party verification by the caseworker has not been possible. Accepting client statements as verification during this emergency is sufficient verification as provided in 55 Pa. Code Section 601.101.**

## **Documenting Income**

Applicants must **document** the amount and source of the income for: 1) all household members and 2) for anyone living in the residence who already received LIHEAP benefits during the program year as a member of another household.<sup>121</sup>

If an applicant claims little or no income for the household, the applicant will be required to provide **evidence** explaining how the household is meeting its financial obligations and basic living needs.<sup>122</sup> While the Plan does not specify the form of this evidence, the 2020-2021 Application for LIHEAP requires applicants with no income in the past month, or with income that is less than the cost of the household’s monthly basic living needs (food, shelter, personal items, etc.), to explain in writing how the household is meeting its basic living needs.<sup>123</sup> DHS generally applies a high level of scrutiny to applications of individuals who assert that they have no income. If an applicant cannot obtain income information, as the CAO to assist with third party verification. If third party verification is not possible, request that a CAO accept client statement!

## **Documenting Heating Responsibility**

### ***Documenting Heating Responsibility - Cash grant:***

Applicants must **document** their responsibility for the primary fuel type for the household.<sup>124</sup> A household that pays a vendor directly can satisfy this responsibility by submitting a fuel bill or receipt issued within the two months prior to the date of the LIHEAP application.<sup>125</sup> Households can also submit receipts from vendors for fuel purchased since January 2020.<sup>126</sup>

*Note:* Many utilities have established on-line portals that allow LIHEAP case workers to verify home heating responsibility directly through the portal. If a client does not have a bill from their primary heating source, they should still apply, and this can be verified by the utility through the portal or through a phone call. Of course, for deliverable fuel vendors, the household will have to

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<sup>120</sup> *Id.* at app. B § 601.101(2).

<sup>121</sup> *Id.* at app. B § 601.102(a).

<sup>122</sup> *Id.* at § 601.103.

<sup>123</sup> See PA. DEP’T OF HUMAN SERVICES, LIHEAP APPLICATION.

<sup>124</sup> 20-21 LIHEAP STATE PLAN, at app. B § 601.104(a).

<sup>125</sup> *Id.*

<sup>126</sup> *Id.*

document their responsibility by providing a receipt for the delivery of home heating fuel. Since the purpose of this documentation is to prove home-heating responsibility, the receipt can be from a different vendor than the one that the client is electing to designate as the household's current LIHEAP vendor.

Households that pay for heat indirectly as an undesignated part of their rent can provide verification or documentation from the landlord or rental agent to show home heating responsibility.<sup>127</sup> Oral verification by the landlord is sufficient to meet this burden.<sup>128</sup>

*Note:* If a household chooses to have a benefit paid to the vendor of a secondary fuel type, then the household must document its responsibility for both the primary and secondary fuel types.<sup>129</sup>

***Documenting Heating Responsibility - Crisis grant:***

Applicants for Crisis grants must prove payment responsibility for *either* the primary or secondary fuel type.<sup>130</sup> If, as a result of a prior service termination, the applicant does not have a recent bill or receipt, the intended vendor must supply documentation that indicates the vendor will activate service upon a determination of LIHEAP eligibility.<sup>131</sup>

*Note:* In certain situations, an applicant for a Cash or Crisis benefit can show proof of home heating responsibility despite the billing payment responsibility being in someone else's name.<sup>132</sup> This includes the death of the bill payer, credit problems of the applicant, and domestic violence safety concerns.<sup>133</sup> The applicant must then provide written proof that he/she lives at the residence address, and explain why the bill is in another person's name.<sup>134</sup>

- For example, if the LIHEAP applicant continues to have the utility bill in the name of her deceased spouse, she may then provide a driver's license documenting that she resides at the residence.<sup>135</sup>

**Documenting Proof of Residence**

Generally, an applicant must live at the residence being heated. However, an applicant temporarily living away from his or her actual residence can still apply for LIHEAP by providing some documentation of the emergency or extenuating circumstances requiring the household to live

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<sup>127</sup> *Id.* at app. B § 601.104(c).

<sup>128</sup> *Id.*

<sup>129</sup> *Id.* at app. B § 601.104(a).

<sup>130</sup> *Id.* at app. B § 601.104(b).

<sup>131</sup> *Id.*

<sup>132</sup> *Id.* at app. B § 601.104(d).

<sup>133</sup> *See id.*

<sup>134</sup> *See id.*

<sup>135</sup> *Id.*



elsewhere.<sup>136</sup> The CAO is required, upon request, to assist in providing appropriate documentation for applicants in these situations.<sup>137</sup>

## **Documenting a Crisis**

To receive a Crisis grant, the applicant must prove that there is a home heating crisis.<sup>138</sup> Acceptable forms of proof include:

- A utility termination notice or verification of a scheduled termination,
- Verification that utility service has already been terminated, or
- A statement from the applicant that the household's deliverable fuel supply is depleted or will last less than 15 days.<sup>139</sup>

Whether a crisis exists is fact specific. For example:

- A termination notice is generally sufficient proof to document a crisis for receipt of a Crisis grant.<sup>140</sup>

Because regulated utility companies cannot terminate service to LIHEAP income-eligible households during the Winter Moratorium (December 1 through March 31), a termination notice issued by a regulated utility company during the Winter Moratorium is not, by itself, accepted by DHS as proof of a home heating emergency.<sup>141</sup> However, in past years, DHS has honored, as proof of a crisis, shut-off notices dated February 1 or later that are issued by regulated utilities.<sup>142</sup>

- Subsidized housing tenants are not eligible for a Crisis grant if their rental charge includes an undesignated amount for heat AND is based on a fixed percentage of their income.<sup>143</sup>

*However*, if a subsidized housing tenant who has heat included in their rent has a direct relationship with electric company and the electricity is necessary to operate their primary fuel type, then they would be eligible for a Crisis grant to their secondary fuel type (electricity).

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<sup>136</sup> *Id.* at app. B § 601.105.

<sup>137</sup> *Id.*

<sup>138</sup> *Id.* at app. B § 601.108.

<sup>139</sup> *Id.*

<sup>140</sup> *E.g., Id.* at app. B § 601.62(2)(ii); 66 Pa C.S. § 1406(g).

<sup>141</sup> 20-21 LIHEAP STATE PLAN, AT app. B § 601.108.

<sup>142</sup> Shut-off notices are valid for sixty days from the date they are issued. 66 Pa. C.S. § 1406(b)(1)(i). As such, a shut-off notice issued after February 1<sup>st</sup> could be acted on by the utility in April, after the end of the winter moratorium.

<sup>143</sup> 20-21 LIHEAP STATE PLAN, at app. B § 601.31(2)(i)(B).



### Advocacy Tips

An advocate may need to address:

- *Social Security Numbers*: A Social Security number is not required for eligibility, but if the applicant has a Social Security number and they are able to provide it, DHS has determined that it must be provided.<sup>144</sup> Regulated vendors often request social security numbers in order to match the grant to the appropriate account. An applicant who does not have a Social Security number or is unable to provide one can complete an Energy Assistance Affidavit.<sup>145</sup> The Energy Assistance Affidavit is printed in the certification section on page three of the LIHEAP application.
- *Immigration Status*: Official documentation from the U.S. Citizenship and Immigration Services is generally sufficient to establish lawfully admitted non-citizen status.<sup>146</sup> A chart of acceptable documents for proving eligible non-citizen status is provided in the State Plan, at the end of appendix B.<sup>147</sup>
- *Verification Issues*: If an applicant cannot obtain income information, ask the CAO to assist with third party verification. If third party verification is not possible, request that a CAO accept client statement!

## Cash Grant

**The LIHEAP Cash grant is available to all eligible individuals with a home heating responsibility.**<sup>148</sup> An individual may be a renter or an owner and may use *any* type of fuel to provide heat to the residence, including but not limited to: gas, oil, electric, wood, propane.<sup>149</sup> The purpose of the Cash grant is to assist low income households with their financial home heating burden.<sup>150</sup> Therefore, to receive a Cash grant an individual:

- Need **not** be threatened with termination of service;
- Need **not** have an outstanding bill or be in debt to a utility or energy vendor; and
- Need **not** have a direct relationship with a utility or energy vendor.

Grants are based on a number of household characteristics that impact affordability, including:<sup>151</sup>

- Household size,
- Household income,

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<sup>144</sup> *Id.* at app. B § 601.106.

<sup>145</sup> *Id.*

<sup>146</sup> *See d.* at app. B § 601.109.

<sup>147</sup> *Id.* at app. B.

<sup>148</sup> *See id.* at app. B § 601.31.(2)

<sup>149</sup> *See id.*

<sup>150</sup> *See id.* at app. B § 601.2.

<sup>151</sup> *Id.* at app. B § 601.41(a)(1-4).

- Heating Region, and
- Primary (or main) Fuel Type.

Based upon these household characteristics, Cash grants for 2020-2021 will range from \$200 to \$1,000 per household.<sup>152</sup> The LIHEAP Benefit Amount Table shows the size of the Cash grant a household may receive.<sup>153</sup>

*Note:* The Benefit Amount Table only includes income levels up through \$22,999. However, households with incomes above \$22,999 may still be eligible, depending on household size. Refer to Appendix A of this Manual for 2020-2021 PA LIHEAP Income Guidelines.

If the household pays for fuel directly, then DHS will send the Cash grant to the fuel vendor or utility on behalf of the household.<sup>154</sup> The applicant receives the grant directly in the following situations: if the household pays for heat as an undesignated part of rent, the fuel vendor refuses to participate in the program or has been removed from the list of participating vendors, the heating bill is in the name of a non-household member, the applicant is a roomer, or the bill is paid to a third party such as in a master-metered situation.<sup>155</sup>

Landlords, rental agents, housing authorities, or hotel or rooming house managers are not eligible to receive direct vendor payments.<sup>156</sup> Thus, an unscrupulous landlord is not able to intercept or coerce a LIHEAP grant from a tenant.

With the advent of competition in electric and natural gas utility service, some households may be purchasing their energy generation from an entity other than their local regulated distribution company. LIHEAP grants can only go to the local regulated distribution company. If a supplier bills the customers separately for generation service, those customers cannot designate their LIHEAP grant to pay the generation bill.<sup>157</sup> However, in most cases, residential customers who use a supplier are billed through the distribution company. In that circumstance, LIHEAP can apply to the entire bill.

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<sup>152</sup> See 20-21 LIHEAP STATE PLAN, at ii.

<sup>153</sup> See PA. DEP'T OF HUMAN SERVICES, LIHEAP BENEFIT AMOUNT TABLE (2019), <http://www.dhs.pa.gov/citizens/heatingassistanceliheap/liheapbenefitamounttable/index.htm>.

<sup>154</sup> 20-21 LIHEAP STATE PLAN, at app. B § 601.44(a).

<sup>155</sup> *Id.* at app. B § 601.44(b).

<sup>156</sup> *Id.* at app. B § 601.44(c).

<sup>157</sup> Note, however, that almost all competitive electric suppliers sell their receivables to the utility company and have that utility company bill the customer for the supply charges. In this case, applicants who direct their LIHEAP grant to the utility will indirectly pay for the competitive supply. This is because the utility retains the ability to terminate service for nonpayment of the energy costs that it purchases from the competitive supplier. It is only in those cases where a supplier separately bills the customer that the customer cannot direct the LIHEAP grant to the supplier.

## **Crediting a Cash Grant to a CAP Customer’s Account**

### **Background**

The purpose of LIHEAP is to help low income households meet their home heating needs. The LIHEAP Federal statute and regulations and Pennsylvania’s approved State Plan require that LIHEAP funds be applied in full to the account of LIHEAP eligible households.

### **Customer Assistance Programs (CAPs)**

In addition, each large regulated electric and natural gas distribution company in Pennsylvania must provide a Customer Assistance Program (CAP) for low income consumers within its service territory.<sup>158</sup> CAPs generally serve payment-troubled households with incomes at or below 150% of the Federal poverty level, similar to the LIHEAP eligibility level. The Pennsylvania Public Utility Commission (PUC) oversees the CAP programs, which are administered by the individual utility companies. CAP programs protect consumers’ health and safety by helping low income customers maintain affordable utility service.<sup>159</sup> In CAP, monthly utility bills are lowered by providing a reduced rate through either a Percentage of Income Payment Program (PIPP or PIP), a rate discount, or some other PUC approved model. Entry into CAP will also generally freeze any collection activity of pre-program arrears and enable their eventual forgiveness.

Companies provide unique names for their CAP program. For example, PPL’s CAP is OnTrack, PGW’s is Customer Responsibility Program (CRP), and NFG’s is Low Income Rate Assistance (LIRA). Each program operates somewhat differently.

### **Intersection of LIHEAP and CAP**

- CAP participants must apply for and designate one LIHEAP grant to the utility administering the CAP.
- LIHEAP Crisis recipients not already enrolled in CAP must be offered entrance into the CAP of the utility company designated to receive that Crisis grant, or a budget plan, depending on which is the most advantageous.<sup>160</sup>

However, PUC policy, which governs utility accounting practices, had permitted utilities not to credit a CAP participant’s LIHEAP Cash grant specifically to that individual customer’s current bill. Instead, utilities could apply the grant to cover the general costs of the Customer Assistance Program, to frozen pre-program arrears or to the difference between the CAP “Asked to Pay” amount and the amount that the customer actually consumed.

To address this questionable application of the CAP payment by utilities, DHS formulated a policy **requiring utilities to apply the LIHEAP Cash grant to the individual CAP customer’s asked-**

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<sup>158</sup> 66 Pa. C.S. §§ 2803 (electric), 2203 (gas).

<sup>159</sup> 52 PA. CODE §§ 54.73 (electric), 62.3 (gas).

<sup>160</sup> 20-21 LIHEAP STATE PLAN at app.B § 601.61.

**to-pay amount.**<sup>161</sup> The vendor copy of the Vendor Agreement for the 2020-2021 program year<sup>162</sup> also states the following:

3. Public utilities that operate Customer Assistance Programs (CAP) will apply the LIHEAP Cash grant in full to the customer’s account:
  - a) To resolve any past-due CAP payments;
  - b) To the current CAP payment; and
  - c) Any remaining funds credited to future CAP payments.

NOTE: A CAP payment is the amount the customer is required to pay under the terms of the utility’s CAP agreement.

DHS continues to require that LIHEAP Cash grants be applied to a CAP household’s “asked to pay” amount. The vendor agreement does not use that phrase, but instead talks about a household’s “CAP payment”, defined as “the amount the customer is required to pay under the utility’s CAP agreement.” Since each of the CAP programs operates slightly differently, advocates are encouraged to contact PULP staff with questions. Additionally, each of the utility’s CAP plans can be found on the Public Utility Commission’s website.<sup>163</sup>



**Advocacy Tip:** Advocates should remain vigilant and carefully review each customer’s account to be certain that the LIHEAP Cash grant has, in fact, been credited properly to the “Asked to Pay” amount. The review process may be daunting since it is often difficult to trace how utilities are applying LIHEAP payments. If you have questions, please contact PULP staff.

### **Policy Aftermath:**

In reaction to this policy change, many utilities have sought novel means to recover the value of the LIHEAP grants which formerly covered general operating costs of the Customer Assistance Program. One method, called “CAP-Plus,” adds a flat fee to each customer’s account based on the total value of LIHEAP grants obtained in the previous program year. The legality of this process had been challenged; however, the Commonwealth Court of Pennsylvania has affirmed the adoption of the CAP-Plus program.<sup>164</sup> LIHEAP clients participating in CAPs at utilities that have implemented CAP-Plus **are required to pay** this additional charge and advocates should be aware that other companies may also petition the Commission to implement a CAP-Plus payment.

<sup>161</sup> *Id.* at app. B § 601.45.

<sup>162</sup> See Appendix F attached hereto.

<sup>163</sup> See [http://www.puc.pa.gov/consumer\\_info/electricity/energy\\_assistance\\_programs.aspx](http://www.puc.pa.gov/consumer_info/electricity/energy_assistance_programs.aspx). Scroll down on the page to the section titled “Universal Service Plans and Evaluations.”

<sup>164</sup> Pa. Communities Org. for Change, Inc. v. Pa. Pub. Util. Comm’n, 89 A.3d 338 (Pa. Commw. Ct. 2014).

## Crisis Grant

The LIHEAP Crisis grant assists households with a home heating related emergency, such as: loss of heat due to a heating system failure; actual or scheduled service shut-off; lack of fuel; or imminent depletion of fuel.<sup>165</sup> Crisis grants may be applied to either the primary or secondary heat source, or a supplemental heat source where the main source of heat is inoperable.<sup>166</sup> Although households should apply for both Cash and Crisis grants if they are eligible for both, the LIHEAP State Plan is clear that households may apply for and, if eligible, receive a Crisis grant regardless of whether they apply for and receive a Cash grant.<sup>167</sup>

When a crisis arises, an individual may apply for a Crisis grant as well as for a Cash grant. DHS first looks to the Cash grant amount to resolve the crisis; if that amount is not enough, DHS then approves the Crisis grant only to the extent necessary to resolve the crisis, and only if the Crisis grant will resolve the emergency.<sup>168</sup>

Cash grants and Crisis grants, as well as the Crisis Interface program, can be used individually or jointly to resolve the crisis. Types of assistance can include:

- Pipe thawing,
- Gas/fuel line repair,
- Purchase of a new furnace/heating system,
- Furnace repair,
- Water-heating system repair,
- Broken window repair,<sup>169</sup> or
- Payment of utility bills or for fuel delivery.<sup>170</sup>

The State Plan notes these particular examples, but other heat related emergencies can also be addressed.

Other grants, such as from a regulated utility's Hardship Fund or other public or private sources of funding, can also be used in combination with LIHEAP to resolve a crisis.<sup>171</sup>

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<sup>165</sup> See 20-21 LIHEAP STATE PLAN at app. B § 601.4(2).

<sup>166</sup> *Id.* at app. B § 601.61.

<sup>167</sup> *Id.* at app. B § 601.32.

<sup>168</sup> See *id.* at app. B § 601.32(3).

<sup>169</sup> Broken windows alone do not meet the definition of a home heating emergency unless their repair is necessary to ensure the effectiveness of other repairs or improvements. *Id.* at app. B § 601.62(vi).

<sup>170</sup> 20-21 LIHEAP STATE PLAN, at app. B § 601.62.

<sup>171</sup> Each regulated electric and gas utility has a hardship fund. See

[http://www.puc.state.pa.us/consumer\\_info/electricity/energy\\_assistance\\_programs.aspx](http://www.puc.state.pa.us/consumer_info/electricity/energy_assistance_programs.aspx). Some of those hardship fund programs – such as PPL's Operation HELP – allow utility customers to use those funds for other fuel types.

In response to **an advocate’s request, or due to individual utility company policy, a utility may also accept less than the amount due to resolve a crisis.** For instance, in 2020, PECO announced that it will accept a Crisis grant as sufficient to resolve a crisis and prevent termination of service or restore service for all households with balances of \$3,000 or less. After application of the Crisis grant, PECO will place the balance of the arrears on a payment agreement.

Advocates are encouraged to be creative in combining and leveraging these grants – and requesting that utilities reduce up-front payment amounts - for the purpose of resolving a utility crisis.

### **Expedited Processing**

The CAO or administering agency must expedite Crisis grant applications. Households that qualify for a Crisis grant must receive assistance within **48 hours** of submitting the application.<sup>172</sup> In life-threatening situations, assistance must be provided within **18 hours** of the application.<sup>173</sup>



**Advocacy Tip:** CAOs and administering agencies often fall behind on the processing of applications due to the volume of applications within a limited time period. If an applicant does not get a decision from the CAO within the 48 hour/18 hour Crisis deadlines (as well as the 30-day Cash deadline), the advocate should contact the CAO. Each CAO has a LIHEAP coordinator who can troubleshoot missed Crisis deadlines.<sup>174</sup> Have your CAO identify that individual and contact them immediately when an application is not processed within the 48 hour/18 hour window. We have provided the list of LIHEAP Coordinators as Appendix D of this document.

### **Crisis Grant Eligibility**

Crisis applicants must meet distinct eligibility criteria to receive a grant:

- The household must meet all of the general eligibility requirements regarding income, home heating responsibility, residency, and citizen status.<sup>175</sup>
- The household must be without heat or in imminent danger of being without heat due to a weather-related event, a home heating system breakdown, a utility shut-off or an energy supply shortage.<sup>176</sup> **DHS has clarified that a household that heats with a deliverable fuel will be considered to be in a home heating emergency if their heating fuel supply will last less than 15 calendar days.**<sup>177</sup>
- The grant must resolve the home heating emergency, alone or with other resources.<sup>178</sup>
- The household must provide proof of the home heating emergency.<sup>179</sup>

<sup>172</sup> 20-21 LIHEAP STATE PLAN, at app. B § 601.4(2).

<sup>173</sup> *Id.*

<sup>174</sup> A list of LIHEAP contacts at each CAO is attached to this manual as Exhibit D.

<sup>175</sup> 20-21 LIHEAP STATE PLAN, at app. B § 601.32(1).

<sup>176</sup> *Id.* at app. B § 601.32(2).

<sup>177</sup> *See id.* at app. B § 601.62(2)(i).

<sup>178</sup> *Id.* at app. B § 601.32(3).

<sup>179</sup> *Id.* at app. B § 601.32(4).

## **Grant Features**

The amount of a Crisis grant is the amount needed to resolve the crisis subject to the minimum allowable Crisis grant of \$25 and the maximum allowable Crisis grant of \$800.<sup>180</sup> The amount of the Crisis grant cannot exceed whatever amount is needed to resolve the crisis.<sup>181</sup>

Crisis grants are paid directly to the approved LIHEAP vendor or utility.<sup>182</sup> Exceptions in which Crisis grants are paid directly to the applicant are rare but may arise situations when direct payment to the vendor cannot be made. In this case, DHS will pay the Crisis benefit to the applicant as a reimbursement after the purchase has been verified.<sup>183</sup>

Crisis funds can pay reconnection fees, re-start fees, and reasonable delivery charges.<sup>184</sup> **They may not be used to pay security deposits or late fees.**<sup>185</sup> Advocates should note that as of January 2015, regulated utilities can no longer require CAP eligible customers to pay a security deposit and should advise PULP of any utilities that attempt to do so.<sup>186</sup> Most CAP programs use the same income guideline as LIHEAP - 150% of Federal Poverty and below - however, CAP programs may count income and household members that LIHEAP does not, and vice versa.

## **Heating System Repairs**

Weather-related heating emergencies may include heating system repairs or heating system replacements.<sup>187</sup> A household can use a Crisis grant to pay for the repairs,<sup>188</sup> but PULP recommends that clients access the Crisis Interface/Weatherization Assistance Program for assistance in making the necessary repairs or replacing their heating system free of charge, provided the household is income eligible. This program is discussed in greater detail below.

## **Deliverable Fuels**

Special rules apply to the payment of a Crisis grant for a shortage of deliverable fuels (e.g., oil, propane, kerosene, wood). In this situation, **an applicant's statement** that their fuel supply has been exhausted or will last fewer than 15 days is acceptable proof of an energy crisis.<sup>189</sup>

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<sup>180</sup> *Id.* at ii.

<sup>181</sup> *See id.* at app. B § 601.61.

<sup>182</sup> *Id.* at app. B § 601.64.

<sup>183</sup> *Id.*

<sup>184</sup> *See id.* at app. B § 601.62(2)(i-ii).

<sup>185</sup> *Id.* at app. B § 601.45.

<sup>186</sup> 66 Pa. C.S. § 1404(a.1).

<sup>187</sup> 20-21 LIHEAP STATE PLAN at app. B § 601.62(1).

<sup>188</sup> *See id.*

<sup>189</sup> *Id.* at app. B § 601.108.



In the case of deliverable fuels, the LIHEAP Crisis grant can include the cost of delivery up to the \$800 maximum payment.<sup>190</sup> If the fuel is not delivered by the vendor, the household will receive the amount needed to resolve the crisis or the maximum amount of fuel that can be transported by the household in one trip; again subject to the \$800 maximum Crisis payment.<sup>191</sup> A prior statement from the vendor is required to verify the cost of the non-vendor pick-up.<sup>192</sup>

DHS requires deliverable fuel vendors to charge the lowest price if the vendor has a variable pricing structure (i.e., one price for cash deliveries and one for credit deliveries), and requires that the household be charged the same amount as a non-LIHEAP household for an identical delivery based on quantity. In other words, if there is a minimum delivery fee (or a higher per unit price for a lesser amount of fuel) it must be assessed for LIHEAP and non-LIHEAP households equally.<sup>193</sup>

Advocates should continue to watch out for this to ensure that households are paying the lowest possible price for deliverable fuel.

## **Crisis Resolution**

A LIHEAP Crisis grant must resolve the crisis.<sup>194</sup> Households are **ineligible** for a Crisis grant if the grant, alone or combined with other resources available to the household, will not resolve the crisis.<sup>195</sup> Given the fragile economic condition of LIHEAP Crisis applicants and the current cost of energy, an \$800 Crisis grant alone could very likely be insufficient to resolve the crisis.



**Advocacy Tip:** Applicants will still be eligible for Crisis grants if the grant will resolve the crisis **in combination with other resources**. Advocates should work with applicants, reach out to community organizations, and negotiate with utilities to identify additional resources that will complement the Crisis grant in resolving the home heating crisis. Resources can include, but are not limited to, supplemental funds from community organizations or friends and family, utility hardship funds, and negotiating a lower amount owed with the utility or a payment arrangement or deferral of debt by the utility.

*Minimum Grant:* If a household requires less than \$25 to resolve a home heating emergency, then it will not be eligible to receive a Crisis grant.

*Maintenance of Service:* When a regulated electric or natural gas vendor accepts a Crisis payment to prevent termination or reconnect service to the household, then that vendor must maintain ongoing service to the household for at least 30 calendar days following the resolution of the

<sup>190</sup> *See id.* at app. B § 601.61.

<sup>191</sup> *Id.*

<sup>192</sup> *Id.*

<sup>193</sup> *See* Vendor Agreement – Liquid or Solid Fuels ¶ 5a.

<sup>194</sup> 20-21 LIHEAP STATE PLAN, at app. B § 601.61.

<sup>195</sup> *Id.*

crisis.<sup>196</sup> When a household receives a Crisis grant approval up to 30 days before the Winter Moratorium or during the Winter Moratorium period, then service may not be terminated until either 30 days after the Crisis is resolved, or May 1st, whichever is later.<sup>197</sup>

*Enrollment in CAP:* If a utility accepts a Crisis grant, then that utility *must offer* that individual the opportunity to enroll in that utility’s Customer Assistance Program (CAP) or into a budget billing plan, whichever is more beneficial to the applicant.<sup>198</sup>

## **LIHEAP Crisis Grants and the Winter Moratorium**

There are conflicting legal principles at work during the Winter moratorium. In general, customers of regulated electric and natural gas utilities with a household income at or below 250% of the Federal Poverty Level are protected from service termination from December 1 through March 31 of each year, unless the utility is specifically given permission to terminate by the PUC.<sup>199</sup> A request for such permission by the utility is exceptionally rare. Customers of PGW have separate guidelines.<sup>200</sup>

On one hand, Chapter 14 (the Pennsylvania statute that governs terminations) specifically states that a notice of termination is sufficient proof of a crisis to enable a low income household to qualify for a Crisis grant.<sup>201</sup> However, since the basis for receiving a Crisis grant rests with the household demonstrating the existence of an *imminent or actual crisis*, DHS does not generally consider a low income household protected by the Winter Moratorium to be in an imminent crisis and will not authorize a Crisis grant to such a household.

As a result, some confusing scenarios arise:

- **Scenario #1:** A regulated utility issues a termination notice, to take effect during the Winter Moratorium period. Because the Winter Moratorium prevents terminations, before the utility may act on that termination notice, it must petition the PUC for permission to do so.<sup>202</sup> In the extraordinarily rare case that the PUC grants permission to act on the notice and terminate the household, then a crisis exists and the household will be eligible for a Crisis grant. DHS does not consider the household to be in crisis until the PUC has given permission for the utility to act.<sup>203</sup>

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<sup>196</sup> *Id.* at app. B § 601.61.

<sup>197</sup> *Id.*

<sup>198</sup> *Id.*

<sup>199</sup> 66 Pa. C.S. § 1406(e)(1).

<sup>200</sup> 66 Pa. C.S. § 1406(e)(2).

<sup>201</sup> 66 Pa. C.S. § 1406(g).

<sup>202</sup> 66 Pa. C.S. § 1406(e)(1).

<sup>203</sup> 20-21 LIHEAP STATE PLAN, at app. B § 601.62(2)(ii)(A).

- **Scenario #2:** Same facts as Scenario #1. The utility either does not seek PUC permission to act on the notice or seeks PUC permission and is denied. In either case, the applicant is not in an actual crisis, but Chapter 14 would appear to authorize the grant anyway.

DHS treats this situation as a quasi-crisis. In past years, applicants in this situation did not receive an absolute denial, but DHS delayed processing of the grant until a later date, pending funding availability.

*Note:* The applicant may receive a notice from DHS informing her that she is not presently eligible for a Crisis grant because there is no imminent or immediate crisis, but that she may receive a grant if, towards the end of the program year, she remains in a crisis situation and there is sufficient funding available. This could cause confusion for LIHEAP Crisis applicants.

- **Scenario #3:** A utility issues a termination notice in February to a household protected by the winter termination moratorium. Because termination notices are effective for sixty days, it will still be in effect after the close of the Winter Moratorium. After April 1, utilities can terminate service without PUC permission.



**Advocacy Tip:** Whether DHS will provide a Crisis grant may depend on a number of factors, such as the availability of funds, the actual closing date of the Crisis component, or other policy determinations. Because the notice will still be in effect after the moratorium, advocates should argue the Crisis grant will resolve an imminent crisis.

Vendors not regulated by the PUC are not subject to Chapter 14 or to the Winter Moratorium.<sup>204</sup> Therefore, DHS will examine crisis applications for customers of those vendors on a case by case basis. For example, some Rural Electric Cooperatives or municipal utilities preclude termination during certain winter months, while others do not.

## Crisis Interface/Weatherization Assistance Program Component

The Crisis Interface/Weatherization Assistance Program component of LIHEAP is designed to help low income households who are in a crisis situation due to inoperability or faulty functioning of a heating source as a result, for example, of a heating system or furnace breakdown. The program provides a household with necessary repairs to a furnace or to replace the furnace outright. The program is open from November 2, 2020 until April 9, 2021.

The measures for which Weatherization Agencies will be responsible under the LIHEAP

<sup>204</sup> See 66 Pa. C.S. § 1406(e)(1).

Crisis program are as follows:<sup>205</sup>

- Repair of heating system
- Loan of auxiliary heater
- Repair of gas or other fuel lines
- Replacement of un-repairable heating systems
- Repair of hot water heating system
- Heating system pipe thawing service
- Repair of broken windows<sup>206</sup>
- Provide blankets

Because situations like the loss of a heat source represent crises, remedial action must be taken within an appropriate time frame of 48, or 18 hours in the case of life-threatening situation.<sup>207</sup> Initially, a non-permanent action, such as the provision of space heaters, may temporarily help to ameliorate the situation.<sup>208</sup> A more permanent solution should follow the temporary measure within a reasonable amount of time.<sup>209</sup> Unlike the Cash and Crisis components, the Crisis Interface program component provides services rather than grants.<sup>210</sup> It is administered jointly by DHS and the Department of Community and Economic Development (DCED) in the following manner:

- The applicant must be determined to be in a crisis and eligible for a Crisis Interface referral by the DHS administering agency (such as the CAO);
- The DHS administering agency refers the applicant to a local weatherization agency;
- The weatherization agency conducts a home visit to assess the heating system, proceeds to take appropriate action to resolve the crisis, and initiates additional weatherization measures.<sup>211</sup>

Special eligibility rules apply for renters:

- Prior written permission must be granted by the landlord in addition to the applicant tenant for the agency to enter the premises to provide Crisis or Weatherization Services; and
- The landlord and tenant must sign an agreement, witnessed by the agency, that the tenant will not be evicted or suffer a rent increase for a reasonable time (not less than 18 months), unless the landlord can show the eviction or increase is not related to the weatherization work performed.<sup>212</sup>

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<sup>205</sup> PA. DEP'T OF CMTY. & ECON. DEV., WEATHERIZATION ASSISTANCE PROGRAM STATE PLAN, at app. C § IV (2016).

<sup>206</sup> DHS policy states that broken windows alone do not meet the definition of a home-heating emergency but can be repaired if the heating system is also being repaired or replaced. 20-21 LIHEAP STATE PLAN, at app. C § IV.

<sup>207</sup> PA. DEP'T OF CMTY. & ECON. DEV., WEATHERIZATION ASSISTANCE PROGRAM STATE PLAN, at app. C § IV (2016).

<sup>208</sup> *Id.* at § III.

<sup>209</sup> *Id.* at § IV.

<sup>210</sup> *Id.* at § I.

<sup>211</sup> *Id.*

<sup>212</sup> 20-21 LIHEAP STATE PLAN, at app. C § VII.

## Appeals

Individuals can request fair hearings to challenge decisions of the CAO -- such as being improperly denied LIHEAP benefits; having benefits unjustly delayed; being approved for less than the correct amount; or being improperly assessed for an overpayment.<sup>213</sup> Individuals can complete and sign the appeal section of any notice, send a written or faxed request to the CAO or tell the CAO they are appealing. In the case of an oral appeal, there must be a written follow-up within 3 days.

*Note:* LIHEAP is not an entitlement program. Unlike other public benefits programs, an appeal will be ineffective if the individual applied for LIHEAP after the program closed or when there was a lack of funds.<sup>214</sup>

Detailed procedures for the appeal process are found in Chapter 870 of DHS's Supplemental Handbook, posted online at DHS's website.<sup>215</sup>



**Advocacy Tip:** There are several key time frames for the advocate to keep in mind:

- An appeal must be taken within 30 days of the date of written notice from the CAO.<sup>216</sup>
- An appeal must be taken within 60 days of the CAO's failure to act on a request or an application.<sup>217</sup>
- An appeal must be taken within 6 months of the date of the CAO's failure to send a required written notice or where there is an administrative error.<sup>218</sup>

As long as the program is open, failure to adhere to these time frames, as well as other appealable issues, may be resolved by an individual simply filing a new application. In these situations, an applicant may benefit from direct advocacy to CAO staff to ensure proper processing of the application.



**Advocacy Tip:** If a LIHEAP application is deemed incomplete, the administering agency must send the applicant a notice indicating what information is missing within 10 work days of receipt.<sup>219</sup> The applicant will then have 15 days from the date of that notice to return the missing information in order to avoid rejection of the application.<sup>220</sup>

<sup>213</sup> *Id.* at app. B § 601.123(a).

<sup>214</sup> *Id.*

<sup>215</sup> See <http://services.dpw.state.pa.us/oimpolicymanuals/supp/index.htm>.

<sup>216</sup> *E.g.*, 55 Pa Code § 275.3(b)(1); PA. DEP'T OF HUMAN SERVICES, SUPPLEMENTAL HANDBOOK § 870.12 (Jul. 21, 2015), <http://services.dpw.state.pa.us/oimpolicymanuals/supp/index.htm>.

<sup>217</sup> *E.g.*, 55 Pa Code § 275.3(b)(2); PA. DEP'T OF HUMAN SERVICES, SUPPLEMENTAL HANDBOOK § 870.12 (Jul. 21, 2015), <http://services.dpw.state.pa.us/oimpolicymanuals/supp/index.htm>.

<sup>218</sup> *E.g.*, 55 Pa Code § 275.3(b)(3); PA. DEP'T OF HUMAN SERVICES, SUPPLEMENTAL HANDBOOK § 870.12 (Jul. 21, 2015), <http://services.dpw.state.pa.us/oimpolicymanuals/supp/index.htm>.

<sup>219</sup> *Id.* at app. B § 601.23.

<sup>220</sup> *Id.*

If the applicant does not submit the missing information within 15 days and the application is rejected, the applicant may still submit the missing information within 60 days from the date of the original application, and the CAO will re-determine eligibility based on the information provided. After 60 days, the applicant must submit a new application.<sup>221</sup>

## Special Issues to Watch for LIHEAP Advocates

The **primary fuel type** is “The central heating system used most by the household or, if the residence is not centrally heated or the central heating system is inoperable, the heat source used most by the household.”<sup>222</sup>

### **Primary, Secondary and Supplemental Fuel Types**

LIHEAP designates three fuel types: main, secondary, and supplemental.<sup>223</sup>

The **primary fuel type** is “the type of energy consumed by the primary heat source to create heat.”<sup>224</sup>

The **secondary fuel type** is “the source of energy that is necessary, in addition to the primary heat source, to operate the primary heating source.”<sup>225</sup>

A **supplemental fuel type** is “[a] source of energy that a household uses to provide heat in addition to the residence’s primary heat source.”<sup>226</sup>



**Advocacy Tip:** These definitions of secondary and supplemental fuel type can be helpful for a household. For example, if a household’s oil or gas furnace heating system needs electricity in order to operate, the loss of electric service to the residence will result in the shut-down of the furnace, and, therefore, loss of heat. In this instance, a household can apply for a LIHEAP grant citing electric as a “secondary fuel type.” The LIHEAP application specifically asks for information about secondary fuel types used to run primary fuel type.<sup>227</sup> LIHEAP cash or Crisis grants can be directed to secondary fuel type. However, a Cash grant can be directed to a *supplemental* fuel type **only if** the main source of heat is inoperable and the supplemental fuel is the source of energy used most by the household for heating.<sup>228</sup>

<sup>221</sup> *Id.*

<sup>222</sup> 20-21 LIHEAP STATE PLAN app.B § 601.3

<sup>223</sup> *Id.*

<sup>224</sup> *Id.*

<sup>225</sup> *Id.*

<sup>226</sup> *Id.*

<sup>227</sup> See PA. DEP’T OF HUMAN SERVICES, LIHEAP APPLICATION § 8.

<sup>228</sup> 20-21 LIHEAP STATE PLAN, at app. B § 601.41(a)(4).

Additionally, note that the definition of **primary heat source** allows non-centralized heating if the centralized heating system is inoperable. In that case, the primary heat source becomes the heat source that is used most by the household.

*Note:* that DHS has issued an Operations Memorandum indicating that it does not consider water as a secondary heating source.<sup>229</sup> However, advocates have been able to convince DHS in the past to issue grants for water if they are necessary for the operation of the primary heating source – such as through steam radiators or other such system. Advocates should contact PULP if they run into this situation.

### **Restrictions on use of LIHEAP funds**

LIHEAP benefits may be used to pay reconnection fees and late fees, but may **not** be used for security deposits.<sup>230</sup> When attempting to reconnect a household's utility service, advocates may need to look to other resources or to the utility itself to help generate funds for security deposits or late fees. However, as of January 2015, CAP-eligible customers cannot be charged security deposits.<sup>231</sup> Most low income households that are eligible for LIHEAP will also be CAP eligible, subject to variations in household and income definitions between the utilities and DHS. PULP is interested in hearing about cases of LIHEAP recipients being charged security deposits for reconnection.



**Advocacy Tip:** In situations where the utility claims a LIHEAP recipient is not CAP eligible, it may still be worth advocacy to request that a utility waive security deposits or late fees. Particularly when the utility stands to receive a Crisis or Cash grant in exchange for the waiver, this request may receive a positive response. Additionally, each of the regulated utilities and some other energy vendors have Hardship Funds that assist struggling utility customers with their bills. Contact the household's local vendor to inquire about additional company-sponsored customer assistance mechanisms.

### **Transfer of Service or Initiation of Service at a new Address**

For customers whose service has been disconnected at their previous address and who need services to be connected at their new address, a regulated utility may use a LIHEAP grant to cover 50% of the customer's back balance from the previous address plus a reconnection fee in order to restore service.<sup>232</sup> If a LIHEAP Cash grant is more than this amount, the regulated utility must apply the remainder of the Cash grant to the household's future bills, and not to the remaining back balance.<sup>233</sup> Utilities must also agree to keep service on through the moratorium and enroll the

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<sup>229</sup> DHS Operations Memorandum 09-10-01, October 7, 2009.

<sup>230</sup> 20-21 LIHEAP STATE PLAN, at app. B § 601.45.

<sup>231</sup> 66 Pa C.S. § 1404 (a.1).

<sup>232</sup> 20-21 LIHEAP STATE PLAN, at app. B § 601.31(2)(vii). See also 66 Pa C.S. § 1407 for general rules related to reconnection of service for regulated utilities.

<sup>233</sup> *Id.*

applicant in a CAP or budget program if eligible.<sup>234</sup> The choice of CAP or budget program is to be based upon which is most beneficial to the applicant.

### **Earned Income Incentive for Amount of Cash Grant**

An individual with earned income is eligible to receive a larger Cash grant than an individual with unearned income. When calculating a household's total income for *eligibility* for a Cash grant, all income is included. However, once a household is deemed eligible to receive a Cash grant, the administering agency will reduce by 20% the amount of income earned from employment in order to determine the *grant amount*.<sup>235</sup> The effect is to reward those households that have earned income from employment.

### **Improper Counting of Lump Sum Annual Payments**

Sometimes, households receive an annual pension or annuity in one large annual payment, rather than smaller monthly payments. The 20-21 LIHEAP STATE PLAN clearly gives the applicant the option to choose the most favorable time period to use in calculating income for LIHEAP eligibility – the past calendar month or a 12 month period.<sup>236</sup> However, DHS will often count the annual payment as part of the household income, regardless of when that payment is received. As a result, an eligible household will inappropriately be deemed ineligible and denied a LIHEAP grant or, if found eligible, that household will receive a lower Cash grant. Advocates should look out for this income counting practice and prepare to challenge it.

### **Refunds and Second Payments**

Vendors receiving a LIHEAP grant must apply that grant to a customer's account within two program years.<sup>237</sup> The two-year period ends no later than June 30th of the year *following* the year in which the grant was awarded.<sup>238</sup> For example, if grants were awarded in the 2020-2021 program year, the two-year period to use those funds will end on June 30, 2021.

Any funds not used by the vendor or the grantee in that time period must be sent back to DHS.<sup>239</sup> In addition, if an applicant is awarded a grant and then subsequently dies, changes vendor, or moves from the vendor's service area, then the vendor must refund to DHS any unexpended grant amounts.<sup>240</sup>

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<sup>234</sup> *Id.*

<sup>235</sup> *Id.* at app. B § 601.41(a)(2).

<sup>236</sup> *See id.* at app. B § 601.83.

<sup>237</sup> *Id.* at app. B § 601.46.

<sup>238</sup> *See id.*

<sup>239</sup> *Id.*

<sup>240</sup> *Id.* at app. B §§ 601.46(1), 601.65(1).



A grantee can receive a second payment of these refunded amounts within that same two-year period if:

- the grantee’s whereabouts are known,
- the grantee continues to reside in the Commonwealth, and
- where the grantee retains heating responsibility<sup>241</sup> or where the crisis for which benefits were authorized continues to exist.”<sup>242</sup>

A vendor can sometimes receive an overpayment that is not the result of fraud, error, or misrepresentation by the applicant. In those situations, the error is considered an administrative error for which the applicant cannot be held responsible.<sup>243</sup>

### **Master Metering**

Master metering is when a landlord or mobile home park owner receives utility service in his/her own name for a property in which multiple tenants live. This can present special challenges for tenants and their advocates. The premises may be sub-metered, or the landlord may pass along the utility costs to the tenants through a formula or calculation that assesses an energy use or heating charge to each tenant.

Where the landlord passes along the utility costs through a specific fee or charge, the utility charge is **not** an undesignated portion of the rent. Some CAOs in past years have concluded that these tenants do not have a home heating responsibility as it is defined in the State Plan.<sup>244</sup> While it may, on a superficial review, appear that the tenant is ineligible for LIHEAP that conclusion may not be accurate. DHS has clarified in previous years that “Households that are renting with heat included and have a specific portion of their rent used for their heating costs are considered to have a heating responsibility and are therefore eligible for benefits.”<sup>245</sup>

Landlords are not approved vendors for the purposes of LIHEAP.<sup>246</sup> This means that the tenant here is making a utility payment to a non-vendor, and will qualify for a direct grant.<sup>247</sup> The Plan specifically excludes landlords from the definition of vendors and precludes landlords from receiving a vendor payment.<sup>248</sup> DHS may also provide Crisis grants directly to tenants or mobile home park residents in master-meter situations based upon a case by case review.<sup>249</sup> “If DHS

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<sup>241</sup> *Id.* at app. B § 601.46(2).

<sup>242</sup> *Id.* at app. B § 601.65(2).

<sup>243</sup> *Id.* at app. B § 601.144(c).

<sup>244</sup> *See id.* at app. B § 601.31(2)(i)(B) (2016).

<sup>245</sup> *See id.* at app. B § 601.3 (defining household).

<sup>246</sup> *See id.* at app. B § 601.44(c).

<sup>247</sup> *See id.* at app. B § 601.44(b).

<sup>248</sup> *Id.* at app. B § 601.44(c).

<sup>249</sup> *Id.* at app. B § 601.44(b).

determines that crisis benefits cannot be paid directly to the vendor, DHS pays the crisis benefit to the applicant as reimbursement after verification of the purchase has been provided.”<sup>250</sup>



**Advocacy Tip:** If tenants or mobile home park residents are denied LIHEAP Cash grants, advocates should demonstrate the applicant does have a home heating responsibility by showing that a failure to make the required payments will leave the tenant without heat.

## Conclusion

LIHEAP provides critical home heating benefits to low income families. We hope that this manual is helpful in providing information and advocacy suggestions in securing those critical dollars for your clients. We welcome your questions and feedback, and if we at the Pennsylvania Utility Law Project can be of any assistance in your work, do not hesitate to contact us.

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<sup>250</sup> *Id.* at app. B § 601.64.

## **APPENDICES**

Appendix A: 2020-2021 Pennsylvania LIHEAP Income Guidelines

Appendix B: Online Resources and Forms

Appendix C: Glossary of Common Terms and Abbreviations

Appendix D: 2020-2021 LIHEAP County Coordinator Telephone Numbers & E-mail Addresses

Appendix E: 2020-2021 LIHEAP Application (English and Spanish)

Appendix F: LIHEAP Vendor Agreements (Liquid and Solid Fuel, and Utility)

## Appendix A: 2020-2021 Pennsylvania LIHEAP Income Guidelines

Household Size	Household Income 150% FPL for Cash & Crisis
1	\$19,140
2	\$25,860
3	\$32,580
4	\$39,300
5	\$46,020
6	\$52,740
7	\$59,460
8	\$66,180
9	\$72,900
10	\$79,620
For each additional person add	\$ 6,720

\* Eligibility information from <https://www.dhs.pa.gov/Services/Assistance/Pages/LIHEAP.aspx>

## Appendix B: Online Resources and Forms

**Attached are Application Forms (HSEA-1 and HSEA-1S) and the LIHEAP Vendor Agreement.**

**Online Resources:**

DHS’s Heating Assistance Web Page	PA Department of Human Services	<a href="https://www.dhs.pa.gov/Services/Assistance/Pages/LIHEAP.aspx">https://www.dhs.pa.gov/Services/Assistance/Pages/LIHEAP.aspx</a>
2021 Final State Plan for PA LIHEAP	PA Department of Human Services	<a href="https://www.dhs.pa.gov/Services/Assistance/Documents/Heating%20Assistance_LIHEAP/State%20Plan%2020-21.pdf">https://www.dhs.pa.gov/Services/Assistance/Documents/Heating%20Assistance_LIHEAP/State%20Plan%2020-21.pdf</a>
COMPASS	PA Department of Human Services	<a href="http://www.compass.state.pa.us">www.compass.state.pa.us</a>
LIHEAP Cash Benefit Table for PA	PA Department of Human Services	<a href="https://www.humanservices.state.pa.us/LIHEAP_BENEFIT_TABLE/">https://www.humanservices.state.pa.us/LIHEAP_BENEFIT_TABLE/</a>
LIHEAP Clearinghouse	U.S. Dept. of Health & Human Services Admin. For Children & Families	<a href="https://liheapch.acf.hhs.gov/">https://liheapch.acf.hhs.gov/</a>
HHS LIHEAP Homepage	U.S. Dept. of Health & Human Services Admin. For Children & Families	<a href="https://www.acf.hhs.gov/ocs/programs/liheap/about">https://www.acf.hhs.gov/ocs/programs/liheap/about</a>
NEADA	National Energy Assistance Directors Association	<a href="http://neada.org/">http://neada.org/</a>
PA PUC Homepage	Pa Public Utility Commission	<a href="https://www.puc.pa.gov/">https://www.puc.pa.gov/</a>
DHS LIHEAP Handbook	PA Department of Public Welfare	<a href="http://services.dpw.state.pa.us/oimpolicymanuals/liheap/LIHEAP_Handbook.htm">http://services.dpw.state.pa.us/oimpolicymanuals/liheap/LIHEAP_Handbook.htm</a>
PULP	Pennsylvania Utility Law Project	<a href="http://www.pautilitylawproject.org/">http://www.pautilitylawproject.org/</a>

**DHS Online Forms:\***

<u>HSEA 1 - LIHEAP Application Form (English)</u>	Application - English
<u>HSEA 1-S - LIHEAP Application Form (Spanish)</u>	Application - Español
<u>PWEA 18 - LIHEAP English Brochure</u>	LIHEAP Brochure - English
<u>PWEA 18-S - LIHEAP Brochure Spanish</u>	LIHEAP Brochure- Español
<u>PWEA 4</u>	Energy Assistance Affidavit
<u>PWEA 4-S</u>	Energy Assistance Affidavit (Español)
<u>HSEA 6</u>	Zero Income Statement
<u>HSEA 6-S</u>	Zero Income Statement (Español)
<u>PWEA 32</u>	Request for Additional Information
<u>PWEA 32-S</u>	Request for Additional Information (Español)
<u>PWEA 35</u>	LIHEAP Computation Worksheet
<u>HSEA 36</u>	Landlord Statement

<u>HSEA 36-S</u>	Landlord Statement (Español)
<u>HSEA 40</u>	DCED/DHS Crisis Interface Referral Form
<u>PWEA 41</u>	Low Income Home Energy Assistance Program (LIHEAP) Electronic Funds Transfer Application Form
<u>PWEA 51</u>	Conservation Tips to Reduce Energy Usage
<u>PWEA 51-S</u>	Conservation Tips to Reduce Energy Usage (Español)

**\*These are the forms available and online as of November 10, 2020.**

## Appendix C: Glossary of Common Terms and Abbreviations

CAO – County Assistance Office are local offices where Pennsylvanians can access a range of services for themselves and their families from professionally trained staff members. CAOs are often but not always the LIHEAP administering agency.

CAP – Customer Assistance Programs assist eligible utility customers who are having difficulty paying their utility bills through provision of a special rate and the forgiveness of past debts by the utility. CAP customers must comply with program responsibilities in order to remain eligible for CAP.

Cash Grant (Component) – A onetime annual grant to assist eligible households with their regular heating costs. The amount of the grant is based upon household income, number of household members, fuel type, and geographic location.

COMPASS - COMPASS is the name of the website where individuals can apply for LIHEAP, the SNAP program, and many other services that may benefit low income households.

Crisis Grant (Component) – Provides a grant(s) to resolve imminent and current heating-related emergencies, including utility shutoffs, malfunctioning heat sources, depleted fuel, and other concerns.

DCED – Department of Community and Economic Development, which administers the Crisis Interface/Weatherization Assistance Program Component.

DHS – Department of Human Services (formerly the Department of Public Welfare) administers the LIHEAP program and other programs in Pennsylvania that are designed to assist low income households, including Medical Assistance, Supplemental Nutrition Assistance Program (SNAP), and Temporary Assistance to Needy Families (TANF).

FPG (FPL) – Federal Poverty Guidelines (Level) – A representation of the federal poverty measure, based upon household income, issued each year by the U.S. Department of Health and Human Services to assist agencies determine eligibility for certain benefits and programs. DHS uses FPG (FPL) to determine LIHEAP eligibility.

LIHEAP – Federally funded program designed to provide supplemental assistance to aid low income households afford the costs of energy, specifically residential heating, in the cold weather months.

Primary Fuel Type – The type of energy consumed by the primary heat source to create heat.



Primary Heat Source – The central heating system used most by the household or, if the residence is not centrally heated or the central heating system is inoperable, the heat source used most by the household.

PUC – The Pennsylvania Public Utility Commission provides oversight for a number of programs and policies implemented by utility companies operating within Pennsylvania, including CAP programs, and the approval of service termination.

PULP – The Pennsylvania Utility Law Project provides information, assistance, and advice about residential utility and energy matters affecting low income consumers.

Secondary Fuel Type – The source of energy that is necessary, in addition to the primary fuel type, to operate the primary heat source. For example, electricity is a secondary fuel type when it is necessary to enable the operation of an oil furnace when oil is the household’s primary heating source.

Supplementary Fuel – A source of energy that a household uses to provide heat in addition to the residence’s primary heat source.

SNAP – Supplemental Nutrition Assistance Program, formerly known as “food stamps,” is a program administered by the Department of Human Services, participants of which, if not already approved for LIHEAP, receive a minimal heating assistance benefit to maximize their Standard Utility Allowance for SNAP purposes.

SUA – Standard Utility Allowance refers to the fixed dollar amount for a household’s heating and utility expenses used in the calculation of shelter expenses for SNAP benefits.

Vendor – An agent or company that directly distributes home-heating energy or services. Vendors do not include landlords, hotel managers or proprietors, rental agents, energy suppliers or generators, or housing authorities.

Vendor Agreement – The Department of Human Services requires any fuel source vendor that wishes to participate in the LIHEAP program to complete and sign a contract known as a vendor agreement.

Weatherization Assistance Component (Crisis Interface) – This component addresses crises through repair or replacement of heating systems in cases of heating source malfunction or failure.

Winter Moratorium – Period from December 1<sup>st</sup> through March 31<sup>th</sup> that prohibits regulated gas and electric utilities from terminating residential service to households at or below 250% of the Federal Poverty Guidelines, unless granted specific permission by the Public Utility Commission.

## Appendix D: County Coordinator Contact Information

County	LIHEAP Coordinator	Phone #	Email @ pa.gov	Alternate Coordinator	Phone #	Email @ pa.gov
Adams	Vicki Miller	717-338-2329	<a href="mailto:vicmiller@pa.gov">vicmiller@</a>	Brandi Cole	717-338-2357	<a href="mailto:brcole@pa.gov">brcole@</a>
Allegheny	Richard Galinowski	724-339-6817	<a href="mailto:rgalinowski@pa.gov">rgalinowski@</a>	Dorothy McCarthy	724-337-5618	<a href="mailto:dormccarth@pa.gov">dormccarth@</a>
	Steven Lapata	412-565-2152	<a href="mailto:slapata@pa.gov">slapata@pa.g</a> <a href="mailto:slapata@pa.gov">ov</a>	Jayne Brymn	724-339-6815	<a href="mailto:jbrymn@pa.gov">jbrymn@</a>
Armstrong	Stephanie Equihua	724-548-0231	<a href="mailto:sequihua@pa.gov">sequihua@</a>	Kimbel Kovatch	724-548-0238	<a href="mailto:kkovatch@pa.gov">kkovatch@</a>
Beaver	Kara Barnes	724-773-7466	<a href="mailto:kabarnes@pa.gov">kabarnes@</a>	Christina Steiner	724-773-7466	<a href="mailto:csteiner@pa.gov">csteiner@</a>
Bedford	Wendy Clevenger	814-624-4023	<a href="mailto:wclevenger@pa.gov">wclevenger@</a>	Janice Leppert	814-624-4002	<a href="mailto:jleppert@pa.gov">jleppert@</a>
Berks	Robin Miley Johnson	610-736-4169	<a href="mailto:rmiley-joh@pa.gov">rmiley-joh@</a>	Alicia Reid	610-736-4252	<a href="mailto:alreid@pa.gov">alreid@</a>
	Vicki Strause	640-736-4040	<a href="mailto:vstrause@pa.gov">vstrause@</a>			
Blair	Jessica Long	814-941-6821	<a href="mailto:jeslong@pa.gov">jeslong@</a>	Robert Lee	814-946-7118	<a href="mailto:robelee@pa.gov">robelee@</a>
Bradford	Suzette O'Neil	570-268-1902	<a href="mailto:soneil@pa.gov">soneil@</a>	Dorothy Ayres	570-268-1901	<a href="mailto:dayres@pa.gov">dayres@</a>
Bucks	Diane Haas	215-781-3385	<a href="mailto:dhaas@pa.gov">dhaas@</a>	Maureen Hahn	215-781-3388	<a href="mailto:mhahn@pa.gov">mhahn@</a>
Butler	Melissa Eppinger	724-284-8842	<a href="mailto:meppinger@pa.gov">meppinger@</a>	Darla Wiley	724-284-8847	<a href="mailto:dwiley@pa.gov">dwiley@</a>
Cambria	Judi Letzo	814-533-2328	<a href="mailto:jletzo@pa.gov">jletzo@</a>	Holly Burkhart	814-533-2341	<a href="mailto:hburkhart@pa.gov">hburkhart@</a>
Cameron	Andrea Stahl	814-916-4112	<a href="mailto:anstahl@pa.gov">anstahl@</a>	Tara Hough	570-893-4503	<a href="mailto:tahough@pa.gov">tahough@</a>
Carbon	Kristi Bower	570-271-3601	<a href="mailto:krbower@pa.gov">krbower@</a>	Stacy Netznik	610-577-9040	<a href="mailto:snetznik@pa.gov">snetznik@</a>
Centre	Emily Gette-Doyle	814-861-1934	<a href="mailto:egattedoyle@pa.gov">egattedoyle@</a>	Jarrod Stahlman	814-861-1933	<a href="mailto:jstahlman@pa.gov">jstahlman@</a>
Chester	Bradley Canan	610-466-1111	<a href="mailto:bcanan@pa.gov">bcanan@</a>	Erica Dixon	610-466-1036	<a href="mailto:erdixon@pa.gov">erdixon@</a>
Clarion	Deb O'Neil	814-226-1791	<a href="mailto:deoneil@pa.gov">deoneil@</a>	Amy Ortz	814-226-1795	<a href="mailto:aortz@pa.gov">aortz@</a>
Clearfield	Victoria Phillips	814-205-1101	<a href="mailto:viphillips@pa.gov">viphillips@</a>	Jennifer Holt	814-205-1086	<a href="mailto:jeholt@pa.gov">jeholt@</a>

	Toni Rowles	814-205-1139	tonirowles@			
Clinton	Tara Hough	570-893-4503	tahough@	Stacey Shay	570-893-4552	stshay@
Columbia	Roxanne Yurkiewicz	570-271-3602	ryurkiewicz@	Wendy Townsend	570-912-1132	wtownsend@
				Tammy Feudale	570-912-1145	tfeudale@
Crawford	Renee Colinear	814-333-3447	rcolinear@	Fredrick Oakman	814-333-3526	froakman@
Cumberland	Addrienne McGinley	717-240-2727	admcmginley@	Kim Showaker	717-240-2772	kshowaker@
Dauphin	Norma Torres	717-787-1028	ntorres@	Britain Roda	717-787-4555	broda@
Delaware	Brandon Primeaux	610-447-5587	brprimeaux@	Patricia Weldon - Crosby	610-461-3810	paweldon@
	Hao Dinh	610-461-3901	hdinh@	Patricia Weldon - Darby	610-461-3810	paweldon@
Elk	Pamela Freeburg	814-776-4340	pfreeburg@	Barbara Hetrick	814-776-4303	bahetrick@
Erie	Laurie Kubaney	814-461-2114	lkubaney@	Tamara Ganzer	814-461-2074	tganzer@
Fayette	Scott Patterson	724-439-7047	scopatters@	Desiree Colgan	724-852-3526	dcolgan@
Forest	Sandra Zacherl	814-755-2105	szacherl@	Kimberly Hahn	814-362-5340	kihahn@
Franklin	Tom Walsh	717-262-6570	thowalsh@	Lisa Hunt	717-262-6539	lhunt@
Fulton	Danelle Flood	717-325-1212	dflood@	Wendy Clevenger	814-624-4023	wclevenger@
Greene	Mary Yoders	724-852-3528	myoders@	Desiree Colgan	724-852-3526	dcolgan@
Huntingdon	Juanita Randoll	814-641-6450	jrandoll@	Brad Norris	814-641-6449	bnorris@
Indiana	Patricia Davis	724-357-1920	patdavis@	Vicki Howells	724-357-2922	vhowells@
Jefferson	Stacy Volchko	814-938-1341	svolchko@	Rebecca Mitchell	814-938-1302	remitchell@
Juniata	Lance Musser	717-320-1074	lmusser@			

Lackawanna	Genese Ash	570-963-3321	<a href="mailto:gash@">gash@</a>	Gina Brink	570-963-3246	<a href="mailto:gibrink@">gibrink@</a>
Lancaster	Lindsey Corson	717- 666-0130	<a href="mailto:lcors@">lcors@</a>	Andraya Stewart	717-299-7628	<a href="mailto:andrastewa@">andrastewa@</a>
Lawrence	Timothy Quigley	724-656-3044	<a href="mailto:timquigley@">timquigley@</a>	Alberta Dean	724-656-3027	<a href="mailto:adean@">adean@</a>
Lebanon	Carol Maya	717-270-3672	<a href="mailto:cmaya@">cmaya@</a>	Erin Fickes	717-270-3645	<a href="mailto:erfickes@">erfickes@</a>
Lehigh	Katrina Myricks	570-271-3650	<a href="mailto:kmyricks@">kmyricks@</a>	Peter Romanyshyn	610-821-6580	<a href="mailto:promanyshy@">promanyshy@</a>
			-	Shannon Eisenhauer	610-821-6510	<a href="mailto:seisenhaue@">seisenhaue@</a>
Luzerne	Sue Kwiatkowski	570-301-1160	<a href="mailto:skwiatkows@">skwiatkows@</a>	Dave Zurek	570-301-1155	<a href="mailto:dzurek@">dzurek@</a>
Luzerne	Ted Christian - Alternate	570-826-2573	<a href="mailto:tchristian@">tchristian@</a>			
Lycoming	Patricia English	570-327-3305	<a href="mailto:penglish@">penglish@</a>	Alisia Troxell	570-327-3332	<a href="mailto:atroxell@">atroxell@</a>
Mckean	Kimberly Hahn	814-362-5340	<a href="mailto:kihahn@">kihahn@</a>	Dusty Carl	814-362-5312	<a href="mailto:ducarl@">ducarl@</a>
Mercer	Lori Gill	724-983-5175	<a href="mailto:logill@">logill@</a>	Theresa Gilliland	724-983-5013	<a href="mailto:tgillian@">tgillian@</a>
	Tracie Montanari	724-983-5020	<a href="mailto:tmontanari@">tmontanari@</a>			
Mifflin	Jamie Morrison	717-242-6075	<a href="mailto:jamimorris@">jamimorris@</a>	Holly Ughetto	717-242-6067	<a href="mailto:hughetto@">hughetto@</a>
Monroe	Kristi Bower	570-271-3601	<a href="mailto:krbower@">krbower@</a>	Charles Deubler	570-424-3900	<a href="mailto:cdeubler@">cdeubler@</a>
Montgomery	April Mocarsky	610-270-3557	<a href="mailto:amocarsky@">amocarsky@</a>	Teresa Murphy	610-270-3579	<a href="mailto:temurphy@">temurphy@</a>
Montour	Roxanne Yurkiewicz	570-271-3602	<a href="mailto:ryurkewic@">ryurkewic@</a>	Hope Enright	570-849-2073	<a href="mailto:henright@">henright@</a>
Northampton	Courtney Williams	610-250-1872	<a href="mailto:courtwilli@">courtwilli@</a>	Tamara Fernandes	610-250-1772	<a href="mailto:tfernandes@">tfernandes@</a>
Northumberland	Sheila Ruiz	570-271-3623	<a href="mailto:sruiz@">sruiz@</a>	Kristopher Willard	570-988-5950	<a href="mailto:krwillard@">krwillard@</a>
Perry	Charlotte Noel-Klunk	717-582-5018	<a href="mailto:cnoelklunk@">cnoelklunk@</a>	Cortney Kolak	717-528-5014	<a href="mailto:ckolak@">ckolak@</a>
Philadelphia	Linda Alvarado	215-560-4733	<a href="mailto:lalvarado@">lalvarado@</a>	Melvin Neal	215-560-4713	<a href="mailto:meneal@">meneal@</a>
Philadelphia	David Keller	215-560-2603	<a href="mailto:davkeller@">davkeller@</a>	PW, PCAO LIHEAP VM		
Pike	Sheila Ruiz	570-271-3623	<a href="mailto:sruiz@">sruiz@</a>	Corie Brubaker	570-409-8387	<a href="mailto:cobrubaker@">cobrubaker@</a>

			-	Brookelynn Gilleeny	570-409-8361	<a href="mailto:bgilleeny@">bgilleeny@</a>
Potter	Michelle Valenti	814-274-4106	<a href="mailto:mvalenti@">mvalenti@</a>	Tara Hough	570-893-4503	<a href="mailto:tahough@">tahough@</a>
Schuylkill	Christina Bright	570-271-3637	<a href="mailto:chbright@">chbright@</a>	Joan Stoudt	570-621-3007	<a href="mailto:jstoudt@">jstoudt@</a>
			-	Kristine Herbst	570-621-3090	<a href="mailto:kherbst@">kherbst@</a>
Snyder	Christine Beaver	570-372-1722	<a href="mailto:chbeaver@">chbeaver@</a>	Julie Eister	570-372-1723	<a href="mailto:jeister@">jeister@</a>
Somerset	Christina Bieterman	814-445-1152	<a href="mailto:cbieterman@">cbieterman@</a>	Michele Peters	814-445-1114	<a href="mailto:mipeters@">mipeters@</a>
Sullivan	Terrie Smith	570-946-8255	<a href="mailto:terriesmit@">terriesmit@</a>	Suzette O’Neil	570-268-1902	<a href="mailto:soneil@">soneil@</a>
Susquehanna	Dyan Leslie	570-271-3638	<a href="mailto:dleslie@">dleslie@</a>	Danielle Shortt	570-278-5612	<a href="mailto:dshortt@">dshortt@</a>
Tioga	Brenda Kline	570-724-9502	<a href="mailto:brkline@">brkline@</a>	Maria Eckart	570-724-9543	<a href="mailto:meckart@">meckart@</a>
Union	Kathy Smith	570-522-8708	<a href="mailto:kathysmith@">kathysmith@</a>	Kelly Ramsey	570-522-8709	<a href="mailto:kramsey@">kramsey@</a>
Venango	Kim Irwin	814-437-4360	<a href="mailto:kirwin@">kirwin@</a>	Jodi Villmer	814-437-4409	<a href="mailto:jvillmer@">jvillmer@</a>
Warren	Meghan Dahl	814-726-8853	<a href="mailto:mdahl@">mdahl@</a>	Brenda Ruhlman	814-726-8802	<a href="mailto:bruhlman@">bruhlman@</a>
Washington	Andrew Hartt	724-223-4419	<a href="mailto:ahartt@">ahartt@</a>	Cynthia McCann	724-223-4511	<a href="mailto:cymccann@">cymccann@</a>
Washington	Todd Pilkington	724-379-1512	<a href="mailto:tpilkingto@">tpilkingto@</a>	Gary Ailes	724-379-1511	<a href="mailto:gales@">gales@</a>
Wayne	Dyan Leslie	570-271-3638	<a href="mailto:dleslie@">dleslie@</a>	Thomas O’Neill	570-253-7123	<a href="mailto:thoneill@">thoneill@</a>
			-	Pat Werner	570-253-7120	<a href="mailto:pwerner@">pwerner@</a>
Westmoreland	Mike Enick	724-832-5238	<a href="mailto:menick@">menick@</a>	Jon Shogan	724-832-7991	<a href="mailto:jshogan@">jshogan@</a>
Westmoreland			-	Jen Eicher	724-261-3556	<a href="mailto:jeeicher@">jeeicher@</a>
Westmoreland	Crisis send to: PW, Westmoreland LIHEAP Crisis			CASH send to: PW, Westmoreland LIHEAP		
Wyoming	Dyan Leslie	570-271-3638	<a href="mailto:dleslie@">dleslie@</a>	Linda Greene	570-996-5403	<a href="mailto:lingreene@">lingreene@</a>

York	Gina Burrows	717-849-6435	<u>gburrows@</u>	Cathy Kioussis	717-771-1275	<u>ckioussis@</u>
York	Florian Knox	717-849-6400	<u>fknox@</u>			
	PW, LIHEAP York Regional Center					