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**ENERGY PROGRAMS  
LOW INCOME ENERGY ASSISTANCE (LIEAP)**

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**EP – 300 LOW INCOME ENERGY ASSISTANCE PROGRAM (LIEAP)  
CHANGE #3-2015  
November 1, 2015**

**300.01            LOW INCOME ENERGY ASSISTANCE PROGRAM (LIEAP)**

The Low Income Energy Assistance Program (LIEAP) provides a one-time annual vendor payment to help eligible families pay their heating expense.

The following sections of the Energy Programs manual also apply to LIEAP:

	Section	Section Number
1	Contracting and Vendor Agreement	120
2	Retention	125
3	Appeals and Hearing Process	135
4	Overpayments and Fraud	140
5	Household Composition	150
6	U. S. Citizenship and Non-Citizens	175
7	Energy Programs Outreach Plan	200
8	Low Income Energy Assistance Program System Instructions	620

**300.02            APPLICATION REQUIREMENT**

- A. Everyone who wishes to apply for the Low Income Energy Assistance Program (LIEAP) must be given the opportunity to apply without delay during the appropriate application taking time frame and as long as funds are available. Scheduling appointments for LIEAP applications is not appropriate.

Only households containing an elderly person age 60 and above or a disabled person receiving services through the Division of Aging and Adult Services (DAAS) are eligible to potentially receive benefits from December 1<sup>st</sup> through December 31<sup>st</sup> or until funds are exhausted. Disabled persons are defined as receiving SSI, SSA, or VA disability.

**EXAMPLES:** Applicant age 50 applies in December. Also in the home are two children under 18 and another adult age 40 who is disabled and receiving services through DAAS. This household is eligible to potentially receive benefits in the month of December.

A disabled applicant age 45 applies in December. There is another adult in the home age 20 who is not disabled. The disabled applicant does not receive any services through DAAS. This household may apply in December but does not meet the target group eligibility requirements to potentially receive benefits during that month. This household will need to apply beginning January 1<sup>st</sup> through March 31<sup>st</sup>, or until funds are exhausted, to be considered for approval.

Applicant age 60 applies in January. Also living in the home are two other adults age 30 and 42. This household is potentially eligible to receive benefits during the month of December.

Applicant age 40 applies in December. Also living in the home is another adult age 65 and a child age 10. This household is potentially eligible to receive benefits during the month of December.

Any household can potentially receive benefits from January 1<sup>st</sup> through March 31<sup>st</sup> or until funds are exhausted, if all eligibility requirements are met. If December 1<sup>st</sup> or

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January 1<sup>st</sup> falls on a weekend or holiday, resort to the first working day of the month. If March 31<sup>st</sup> falls on a weekend or holiday, resort to the last working day of the month.

If an applicant comes into an agency that takes applications and requests to apply during the application taking period as defined above, they must be allowed to sign an application on the day they appear.

**NOTE:** Households that include a Native American who is 18 years of age or older residing in Cumberland, Hoke, Robeson, and Scotland counties, who wish to apply for LIEAP benefits, must do so through the Lumbee Tribe.

- B. Application taking must be completed by state and local governmental entities or community-based organizations as well as by social services. Examples of community-based organizations are not-for-profit neighborhood-based organizations, area agencies on aging, and community action agencies. (See EP-200 for additional information.)
- C. A valid social security number is required, when available, for each household member. Applicants not currently active in Food and Nutrition Services, WFFA, or Medicaid must sign the DMA-5001, Notice of the Use of Social Security Numbers, when Income and Eligibility Verifications System (IEVS) matches are performed prior to the applicant's signing of the DSS-8178, Energy Programs Application.
- D. Explain to the applicant their rights and responsibilities.
- E. Inform all applicants, either verbally or in writing, that unless the requested information is received within ten business days from the date of application, the application will be denied.
- F. Inform all applicants that approval is based on availability of funds at the time of application disposition.\
- G. Inform households of additional services such as the Linkup and LifeLine Programs. See EP-200.09.
- H. LIEAP applicants must be provided with the opportunity for voter registration.
- I. If an applicant provides a utility bill for verification of their utility expense and the bill is not in their name, or another adult household member's name, the applicant needs to provide a written statement from the person whose name the bill is in verifying the applicant is responsible for payment of the heating expense. In the event that a person is unavailable or unreachable, accept the applicant's statement.

**NOTE:** LIEAP funds cannot pay bills in a deceased person's name or in the name of a minor child. In such cases, the applicant should be encouraged to transfer the utility payment into his/her name as soon as possible.

**300.03 DMA-5093, APPLICATION LOG**

Counties must register (log) all individuals requesting to apply for LIEAP. Counties may use the DMA-5093, Daily Reception Log, for Medical and Financial Assistance, which includes the LIEAP and CIP Programs.

**300.04 APPLICATION PROCEDURES**

- A. General Information
  - 1. Duplicate payments to LIEAP households are not allowed. Establish controls to ensure that households do not receive duplicate benefits.

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2. Use the Energy System inquiry to check whether there are other energy applications for any household members. If the name, address, and social security number for a household member match that of an applicant already in the system, conduct additional research before approving the case. Evaluate each household member to determine the correct household composition to eliminate the duplication. Refer to EP-620, Low Income Energy Assistance Program System Instructions.
  3. The LIEAP application period ends March 31st of each year. The keying deadline is 10 business days following the application end date. After such time, LIEAP applications cannot be entered in the Energy Programs system.
  4. All LIEAP applications pending after March 31st must be processed within 15 days from the date of the application.
- B. Procedures for Completing Form DSS-8116-I, Eligibility Worksheet
1. It is mandatory to complete a DSS-8116-I, Eligibility Worksheet for an application if:
    - a. A household member has earned and/or unearned income, or
    - b. A household member is an ineligible alien with income, or
    - c. A household member has reserve that is questionable, or
  2. Complete all sections on the DSS-8116-I that apply to the household.
- C. Explain to the applicant they have the right to:
1. Receive assistance if found eligible.
  2. Be protected against discrimination on the grounds of race, creed, or national origin by Title VI of the Civil Rights Act of 1964 and may appeal such discrimination under Section 504 of the Disability Act.
  3. Have any information given to the agency kept in confidence.
  4. Appeal, if
    - a. Denied the right to apply for assistance on the same day they or their representative went to the local county agency; or
    - b. The application was denied; or
    - c. The assistance is incorrect based on the county's interpretation of the State regulations; or
    - d. A decision is not made on the application in a timely manner.
  5. Withdraw from the assistance program at any time.
  6. Reapply if the household is denied and the situation changes. The household must reapply before the application period expires.
- D. Explain to the applicant he has the responsibility to:

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1. Provide requested information needed to determine eligibility within ten business days. Use the DSS-8185 to request needed information. This is the only request provided to the applicant.
2. Notify the applicant that if information is **not** received **by the deadline date**, the application will be denied for failure to provide information. Approval will be based on availability of funds at the time of disposition.
3. Provide verification of social security numbers for all members of the LIEAP household. If verification is not available, accept client's statement.

E. Local County Agency's Responsibilities

The County has the responsibility to:

1. Assist the household in obtaining information to determine eligibility, if requested.
2. Inform the applicant or his representative of the eligibility requirements and hearing rights. You may wish to use the DSS-8117 for this purpose.
3. Ask the applicant to specify the primary type of fuel used most often. Explain to the applicant that the fuel type-given at the time of application will not be changed even if the household later-changes its primary source of heat-
4. Explain the meaning of fraud to the applicant. Explain penalties for providing false or incorrect information.

F. Prevention of Overpayments

1. Interviews

The key to fraud prevention is skilled interviewing. The interviewing process must involve two-way communication. First, you must be specific and thorough in the questions asked. It is important to phrase questions in a way that the a/r will understand them. For example, spell out specific items included as "income" to avoid the misunderstanding that the only item included is wages. Secondly, listen carefully to the a's/r's responses. Give the a/r a chance to respond in his own words. Repeat the a's/r's responses back to him to ensure you understand and to give him a chance to add additional information.

2. Other Preventive Measures

a. Intra-agency

Establish communications among the various units in your office. Fraud prevention is the responsibility of the entire agency. Therefore, you must develop a systemic way to report changes and exchange information. Each agency should have several controls in place such as card files to avoid duplication of payments. Also, agencies should use the terminals to check whether there are any other energy applications for any household member.

b. Inter-agency

In order to obtain prompt and accurate information needed to determine eligibility, it is important to establish a good relationship with other agencies, employers, and institutions. Inform them of the program

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requirements and the importance of receiving prompt and accurate information.

c. Public Awareness

Inform the public about your agency's attempt to prevent fraud. This is important both as a deterrent and as a public relations measure. Information regarding court actions taken against fraudulent clients, amount of collections over a period of time, etc., could be periodically offered to the news media. Publicize the telephone number for calling in reports of possible fraud. Emphasize that such reports are kept confidential. If the public realizes the importance of preventing fraud, you may be able to obtain much more information and cooperation.

d. Match Listings

In order to avoid duplicate payments, match reports can be run in the Energy System and or Client Services Data Warehouse. The purpose of these reports is to provide the county with a tool to identify possible duplicate issuances of benefits. The reports can be run by social security number, address, or name. Refer to EP Manual Section 600.04 for instructions on how to run these reports.

**300.05 SPECIAL PROVISIONS FOR WAIVING THE OFFICE INTERVIEW**

A. Agencies may complete interviews by telephone in the following situations if no member of the household is able to come to the agency or if the household does not have someone who can serve as an authorized representative:

1. The household lives in a rural location and does not have transportation; or
2. The household member is unable to come to the agency for reasons such as, but not limited to disability or incapacitated, illness, caring for a household member, prolonged severe weather, or employment hours or training schedule which conflicts with the agency hours.

B. Application Procedure for Telephone Interviews

1. Complete the application interview.
2. Allow applicant ten (10) business days to return the application and required verifications. Record the pending date on the DSS-8185. This is the only request sent to the applicant.
3. Mail application form (DSS-8178) and DSS-8185 to the applicant.

**NOTE:** Applications are not considered complete unless all questions have been answered and documented and has been signed. Do not key an unsigned application into the data entry system. Applications mailed after the conclusion of a telephone interview must be signed by the applicant or authorized representative. Applications not returned or returned not signed are not complete applications. Notify the applicant, verbally or in writing, that his application is incomplete and will not be processed. Document your verbal contact or file a copy of the letter in the case record.

**300.06 ACTION TO TAKE WHEN AN ENERGY PROGRAMS APPLICATION (DSS-8178) IS COMPLETED BY THE COUNTY**

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A. When an application is:

1. Complete

The application is complete if all questions have been answered and are documented on the application form. It must be signed by the applicant or his representative.

Key the application DSS-8178. See EP-620, Low Income Energy Assistance Program System Instructions. A system generated notice is mailed or given to these applicant households.

2. Incomplete

The application is incomplete if all the questions have not been answered and documented or it is not signed. See Section 300.04 B. Note.

a. Telephone Call

(1) If the information needed to complete the application can be obtained by the telephone, call the applicant.

(2) Document the telephone call and the information received in the case record.

b. DSS-8185, Notice of Incomplete Application

(1) List on the DSS-8185 the information needed to complete the application. Inform the household the completed application must be returned within ten business days. Also inform the household that approval will be based on availability of funds at disposition. Record the due date on the DSS-8185; **and**

(2) Document on the log or in the case record the date you sent the DSS-8185. Keep a copy of the DSS-8185 in the case file.

B. Requested Information Returned

When all the requested information is received:

1. Document in the case record the date you received the requested information.

2. Determine if any changes have been reported.

a. If **no** changes are reported, process the application within two (2) business days.

b. If changes are reported, determine if the change affects eligibility or benefit level. If yes, contact the household by phone to resolve the change. If unable to contact the household by phone, send the household a DSS-8185 requesting the information. Allow household ten (10) business days to respond. Process the application within two (2) business days of receipt of the requested information.

If information is not received, deny the application on the eleventh (11<sup>th</sup>) day.

If change does not affect eligibility or benefit level, document changed information in the energy system and process case within two (2) business days.

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C. Actions to Take If You Receive an Application after the Deadline

You must:

1. Verbally or in writing notify the applicant that his application was received **after** the deadline and it will not be processed; and
2. Document your verbal contact with the applicant or file a copy of the letter in the case record.
3. You may for easy reference, maintain a log of all applications received after the deadline.

**300.07 ELIGIBILITY CRITERIA**

Eligibility for the Low Income Energy Assistance program is based on certain non-financial and financial requirements. Each applicant household must meet all requirements. Each eligibility criteria is discussed in Sections 300.08 through 300.10, and 300.13.

**300.08 VULNERABILITY**

To be eligible, a household must be vulnerable at the time of application. A household is vulnerable if it is subject to rising cost of heating, has a heat source and is billed separately for the heat expense. Accept the applicant's statement about the vulnerability status for the household.

1. If a household lives in a private living arrangement and it has a heat source and heat costs are billed separately, it is fully vulnerable.
2. If a household lives in public housing where heat costs are billed separately from the rent, it is fully vulnerable.
3. An applicant who lives in a private living arrangement who does not receive a separate bill from the energy provider is not vulnerable.
4. A household in public housing where heating costs are included in the rent is not vulnerable. This includes households whose rent is increased to cover excess heating costs. This also includes individuals who have paid excess for heating in the last twelve (12) months. For additional verification of a heating arrangement in public housing, contact the local public housing authority.
5. A person living in an institution is not vulnerable.

**NOTE:** Receipt of a utility allowance does not affect vulnerability status. Section 8 households are considered in a private living arrangement.

If an applicant is living in another arrangement which is not listed above, call the Economic and Family Services Section for assistance (Telephone 919-527-6300).

**300.09 INCOME**

Households meet income eligibility if the total household members' countable income for base period (month(s) prior to application) is equal to or less than 130% of the current poverty level.

Refer to the Income Section of the Integrated Policy Manual at <https://economicbenefits.nc.gov> for types of income to count, how to verify income and which income deductions and base periods to apply.

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No. Eligible In Household	Maximum Countable Income	No. In Household	Maximum Countable Income
1	\$1,276	14	7,136
2	1,726	15	7,587
3	2,177	16	8,038
4	2,628	17	8,489
5	3,078	18	8,940
6	3,529	19	9,391
7	3,980	20	9,842
8	4,430	21	10,293
9	4,881	22	10,744
10	5,332	23	11,195
11	5,783	24	11,646
12	6,234	25	12,097
13	6,685	26	12,548

If there are more than 26 in a household, call the Economic and Family Services Section at (919) 527-6300 for the maximum countable monthly income.

**300.10 RESOURCES**

Household members meet the resource requirement if the total household members' countable resources are \$2,250 or less as of the date of the application.

Accept the household's statement unless questionable. A resource is considered questionable when there is reason to believe that the reported value is incorrect. When determining the value of a checking or savings account, subtract any outstanding withdrawals and any funds remaining that were counted as income in the LIEAP application. When verifying assets, document on the DSS-8116. Allow the client ten (10) business days to provide verification of stated resources. Verification of resources should be requested using the Form 8185.

Ineligible aliens' assets shall be countable toward the household's total \$2,250.

If the Household's resources exceed \$2,250, deny the application.

**COUNTABLE AND NON-COUNTABLE RESOURCE ITEMS**

RESOURCE ITEMS	COUNTABLE	
	YES	NO
Cash on hand	X	
The current balance of savings account (s)	X	
That portion of checking or savings account other than the monthly income deposited to meet the household's needs.	X	
Stocks, bonds, mutual fund shares, and savings certificates.	X	
Funds in a retirement account that are accessible (such as 401K, NC State Retirement, etc.)	X	
Funds in a retirement account that are accessible, including IRA and Keogh Plans	X	
Revocable trust funds.	X	
Life estate and remainder interest, if salable		X
Net proceeds from a business, including a farm, which has been discontinued.	X	

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Equity in real property not used as a home or producing an income	X	
Federal Emergency Management Assistance/or Disaster Assistance		X
Household or personal belongings (includes essential and non-essential personal property).		X
Motor vehicles.		X
Primary residence, including mobile home, and all contiguous property.		X
Income producing property.		X
Insurance (including burial, term, and whole life cash values).		X
Value of prepaid burial contracts.		X
Value of burial plots.		X
Savings of a student under age 18 who is saving his money for school expenses.		X
Relocation assistance payments.		X
That portion of monthly income deposited in a checking account to meet monthly needs.		X
Non-saleable life estate or remainder interest.		X
Heir property.		X
HUD community development block grants.		X
Real property ( land or buildings) including mobile homes		X
The remaining balance of any lump sum payment received prior to the month of application	X	

**300.11 BENEFIT DETERMINATION AND METHOD OF PAYMENT**

- A. Benefits are based on the household's size and income at the time of application. The income limit is 130% of the federal poverty level. To determine benefit levels, the income limit is broken down into two categories so that families with the lowest incomes receive the higher benefit. There are three benefit level amounts designated according to household size and income. Households that heat with coal and/or wood will receive a benefit of \$200 regardless of household size; however, they will still need to be at or below the 130% income limit.

Benefits are paid directly to vendors who have an approved vendor agreement on file with the County. Counties may want to establish additional agreements with vendors such as a promise to pay, purchase order, etc. for households whose primary heat source is kerosene, fuel oil and the like.

If a county has a LIEAP balance of \$400 or less, approval for an even \$200, \$300, or \$400 may be given. Partial payments such as an amount of \$70 or \$100 for LIEAP are not allowed.

If a household moves and leaves a credit balance with their vendor, settlement of the credit is between the household and the vendor. If the vendor is aware of the household's new vendor, the credit balance can be forwarded to the new vendor. If the vendor is unable to contact the household to settle a credit balance, the county is responsible for trying to locate the household. If the county is unable to locate the household, the credit balance should be returned to the local county agency. The county will complete an adjustment in the Energy System and report the amount on the DSS-1571 accordingly.

**NOTE:** Explain to the household if they move or end service prior to vendor receiving payment and a credit balance is the result, the household should contact the old vendor with new vendor information so payment can be forwarded.

- B. The chart below reflects the benefit levels based on household size and income category.

*Income Ranges by Family Size*  
**Percentages of 130% Poverty Income Limit**

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Household Size	0 – 50% (Represents 0 - 65% of 130%)	51% - 100% (Represents 66 - 100% of 130%)
Payment Amount	\$300.00	\$200.00
1	\$0 - 638	\$ 639 - 1,275
2	\$0 - 863	\$ 864 - 1,726
3	\$0 - 1,088	\$1,089 - 2,176
Payment Amount	\$400.00	\$300.00
4	\$0 - 1,314	\$1,315 - 2,627
5	\$0 - 1,539	\$1,540 - 3,078
6	\$0 - 1,764	\$1,765 - 3,528
7	\$0 - 1,990	\$1,991 - 3,979
8	\$0 - 2,215	\$2,216 - 4,430
9	\$0 - 2,440	\$2,441 - 4,880
10	\$0 - 2,666	\$2,667 - 5,331
11	\$0 - 2,891	\$2,892 - 5,782
12	\$0 - 3,116	\$3,117 - 6,232
13	\$0 - 3,342	\$3,343 - 6,683
14	\$0 - 3,567	\$3,568 - 7,134
15	\$0 - 3,792	\$3,793 - 7,584
16	\$0 - 4,018	\$4,019 - 8,035
17	\$0 - 4,243	\$4,244 - 8,486
18	\$0 - 4,468	\$4,469 - 8,936
19	\$0 - 4,694	\$4,695 - 9,387
20	\$0 - 4,919	\$4,920 - 9,838
21	\$0 - 5,144	\$5,145 - 10,288
22	\$0 - 5,370	\$5,371 - 10,739
23	\$0 - 5,595	\$5,596 - 11,190
24	\$0 - 5,820	\$5,821 - 11,640
25	\$0 - 6,046	\$6,047 - 12,091
26	\$0 - 6,271	\$6,272 - 12,542
<b>Households heating with Coal and/or Wood will receive \$200.00</b>		

**300.12 PAYMENTS FOR DECEASED, INCARCERATED, OR INSTITUTIONALIZED PAYEES**

If an applicant becomes deceased after a LIEAP payment has been made to the vendor and the payment results in a credit, the county should verify if there are any other adults remaining in the household. If so, the credit will remain. If there are no other adults residing in the applicant's household, the vendor is responsible for returning the credit amount to the local county agency. The county will forward the payment amount with a cover letter giving identifying information, reason why submitted, and date of death if known, to the Clerk of Court to be applied to the deceased payee's estate.

If no administrator has been appointed to the applicant's estate, the Clerk of Court disburses the funds as follows:

- Provide for spouse's and children's needs for the year as allowed by law;
- Pay or reimburse others for funeral expenses up to a maximum of \$2,000;
- Pay or reimburse others for hospital, medical, and physician's bills incurred during the individual's last illness (not to exceed a period of 12 months);
- Pay the balance to the surviving spouse or to the heirs if there is no spouse

<p align="center">Section 300 Change #3-2015 November 1, 2015</p>
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If the Clerk of Court returns a check to the local county agency and states the payee's estate has been settled, complete an adjustment in the Energy System and report the amount on the DSS-1571 accordingly.

If a LIEAP payment is made to a vendor and it results in a credit due to the applicant becoming incarcerated or institutionalized and there are no other adults in the home; the vendor is responsible for returning the payment amount to the local county agency. The county will complete an adjustment in the Energy System and report the amount on the DSS-1571 accordingly.