

household's total gross monthly income. Cents shall be rounded to the nearest dollar. If the monthly gross income does not exceed the income standard (see (a) above) for the household size, the household is income eligible for Home Energy Assistance.

1. In any household declaring zero income, the head of household shall be required to file a declaration of zero income. This information is to be maintained in the case record.

2. In any household reporting less than \$100.00 in monthly income, the head of household shall be required to document how the household has been supporting itself. Such documentation may include, but is not limited to, checking or savings accounts statements documenting withdrawals, recent prior pay stubs or unemployment, welfare, disability, SSI, or social security benefits statements. In addition, a copy of a recent application for unemployment, social security, welfare, SSI or disability benefits may be accepted. If the household has been supporting itself by other means, such documentation as appropriate to the source of income, shall be accepted.

i. Any household reporting less than \$100.00 in monthly income, in two consecutive years, the head of household shall be required to document how the household has supported itself for the past year as referenced in (d)2 above.

3. For the purpose of this program, the household shall consist of all persons residing within a single residential unit.

4. Tax dependent college students who are absent from the household solely because of college attendance must be included in the household size for the determination of eligibility.

5. Foster children placed with a family by DYFS are to be included in the household size and the allowance paid by DYFS is to be included in the household's income.

6. Roomer-boarders residing with an applicant household are not to be included in the household size and the income of such individuals is not to be considered in the eligibility determination. However, any income provided to the HEA applicant household by the roomer-boarder in excess of \$250.00 per month shall be considered in determining the household's gross monthly income.

i. The only exception to (f)4 above will occur if the roomer-boarder is a spouse, parent, grandparent, child, brother or sister of a household member. In such instances, the roomer-boarder shall be included in the household size and his or her gross monthly income considered as part of the household's income in determination of eligibility.

7. If a household member receives Social Security benefits and/or SSI the CAA or other non-profit agency must determine the countable income as follows:

i. For individuals receiving Social Security benefits the net amount of the monthly check is countable. If the household presents an award letter rather than a check as evidence of income, the CAA or other non-profit agency must determine if the individual pays a Medicare Part B premium and deduct that amount from the gross amount of the benefit. The resulting balance shall be considered as income to the household.

ii. For individuals receiving SSI the CAA or other non-profit agency shall deduct the supplemental payment amount from the Tenants Lifeline Credit program which is included in the SSI check. The balance shall be considered as income to the household.

8. Households placed in rental assistance slots utilizing temporary emergency funding made available through the State's emergency assistance initiatives will not be excluded from eligibility for Home Energy Assistance as a tenant whose heat is included in rent.

Amended by R.1982 d.497, effective December 30, 1982.

See: 14 N.J.R. 131(a), 15 N.J.R. 92(c).

Originally filed as an emergency adoption (R.1983, d.412) on November 1, 1982. Readopted as R.1982 d.497. Increase in allowable gross income limits.

Amended by R.1983 d.465, effective October 17, 1983, operative November 1, 1983.

See: 15 N.J.R. 1388(a), 15 N.J.R. 1768(c).

Gross income limits increased.

Emergency Amendment and Concurrent Proposal amended, R.1984 d.538, effective and operative November 1, 1984 (expired December 31, 1984).

See: 16 N.J.R. 3217(a).

Substantially amended.

Emergency Amendment readopted R.1985 d.5, effective January 2, 1985.

See: 16 N.J.R. 3217(a), 17 N.J.R. 310(a).

Correction: (f)5ii deleted "\$14.60" and added "amount."

See: 17 N.J.R. 1444(b).

Emergency Amendment, R.1985 d.593, effective October 28, 1985 (operative November 1, 1985, expired December 27, 1985).

See: 17 N.J.R. 2791(a).

Monthly Gross Income Limits raised.

Readopted amendment R.1985 d.708, effective December 24, 1985.

See: 17 N.J.R. 2791(a), 18 N.J.R. 194(a).

(b)4 added text "or center for the treatment of drug and/or alcohol abuse".

Amended by R.1986 d.450, effective November 17, 1986.

See: 18 N.J.R. 1676(a), 18 N.J.R. 2328(a).

Monthly allowable gross income limit raised.

Emergency Amendment, R.1987 d.496, effective October 28, 1987 (operative November 1, 1987, expired December 27, 1987).

See: 19 N.J.R. 2208(a).

Added (f)5iii and raised Monthly Allowable Gross Income Limit.

Adopted Concurrent Proposal, R.1988 d.46, effective December 24, 1987.

See: 19 N.J.R. 2208(a), 20 N.J.R. 291(b).

Amended by R.1988 d.482, effective October 17, 1988 (operative November 1, 1988).

See: 20 N.J.R. 2677(a).

Added "grandparents"; raised Gross Income Eligibility Limits for Home Energy Assistance".

Amended by R.1990 d.315, effective June 18, 1990.

See: 22 N.J.R. 599(a), 22 N.J.R. 1939(a).

Increased Gross Income Eligibility Limits for Home Energy Assistance.

Emergency Amendment, R.1990 d.590, effective October 30, 1990; operative November 1, 1990 (expired December 30, 1990).

See: 22 N.J.R. 3590(a).

Increased Gross Income Eligibility Limits for Home Energy Assistance.

Amended by R.1991 d.39, effective January 22, 1991.

See: 22 N.J.R. 3590(a), 23 N.J.R. 218(a).

In (g), increased Gross Income Limits.

Emergency Amendment, R.1992, d.38, effective December 26, 1991 (expires February 24, 1992).

See: 24 N.J.R. 300(b).

In (g), increased Gross Income limits.

Adopted concurrent proposal, R.1992 d.125, effective February 21, 1992.

See: 24 N.J.R. 300(b), 24 N.J.R. 952(b).

Provisions of emergency amendment R.1992 d.38 readopted without change.

Emergency Amendment, R.1992 d.517, effective December 8, 1992, operative January 1, 1993 (expires February 6, 1993).

See: 24 N.J.R. 4593(a).

Income limits in (g) adjusted to conform to 150 percent of Federal Poverty Level.

Adopted Concurrent Proposal, R.1993 d.97, effective January 28, 1993.

See: 24 N.J.R. 4593(a), 25 N.J.R. 997(a).

Provisions of emergency amendment R.1993 d.517 adopted without change.

Emergency Amendment, R.1994 d.20, effective December 9, 1993 (to expire February 7, 1994).

See: 26 N.J.R. 256(a).

Adopted Concurrent Proposal, R.1994 d.109, effective February 7, 1994.

See: 26 N.J.R. 256(a), 26 N.J.R. 1227(a).

Emergency Amendment R.1995 d.145, effective February 16, 1995 (to expire April 17, 1995).

See: 27 N.J.R. 942(a).

Adopted Concurrent Proposal, R.1995 d.246, effective April 17, 1995.

See: 27 N.J.R. 942(a), 27 N.J.R. 2003(a).

Provisions of emergency amendment, R.1995 d.145, adopted without change.

Emergency amendment R.1996 d.47, effective December 21, 1995 (expires February 19, 1996).

See: 28 N.J.R. 293(a).

Adopted Concurrent Proposal R.1996 d.134, effective February 16, 1996.

See: 28 N.J.R. 293(a), 28 N.J.R. 1537(a).

Emergency amendment R.1997 d.149, effective February 25, 1997 (to expire April 26, 1997).

See: 29 N.J.R. 940(a).

In (f)5, (f)5i, and (f)5ii, substituted "CAA or other non-profit agency" for "CWA"; and in (g), increased monthly allowable gross income limits.

Adopted concurrent proposal, R.1997 d.207, effective April 25, 1997.

See: 29 N.J.R. 940(a), 29 N.J.R. 2473(a).

Emergency amendment R.1998 d.82, effective January 9, 1998 (to expire March 10, 1998).

See: 30 N.J.R. 568(a).

In (g), increased Monthly Allowable Gross Income Limits.

Adopted concurrent proposal, R.1998 d.168, effective March 10, 1998.

See: 30 N.J.R. 568(a), 30 N.J.R. 1285(a).

Emergency amendment R.1999 d.139, effective April 1, 1999 (to expire May 31, 1999).

See: 31 N.J.R. 1105(a).

In (g), increased Monthly Allowable Gross Income Limits.

Adopted concurrent proposal, R.1999 d.197, effective May 28, 1999.

See: 31 N.J.R. 1105(a), 31 N.J.R. 1614(a).

Amended by R.2000 d.16, effective January 3, 2000.

See: 31 N.J.R. 3187(a), 32 N.J.R. 60(a).

Rewrote (g).

Public Notice: Home Energy Assistance income eligibility and benefits.

See: 32 N.J.R. 720(b).

Emergency amendment, R.2000 d.160, effective March 23, 2000 (to expire May 22, 2000).

See: 32 N.J.R. 1426(a).

Added (h).

Emergency amendment, R.2000 d.160, expired May 22, 2000.

Deleted (h).

Public Notice: Home Energy Assistance income eligibility and benefits.

See: 33 N.J.R. 1479(c).

Public Notice: Home Energy Assistance income eligibility and benefits.

See: 34 N.J.R. 605(b).

Public Notice: Home Energy Assistance income eligibility and benefits.

See: 35 N.J.R. 894(a).

Public Notice: Home Energy Assistance Program.

See: 36 N.J.R. 1132(a).

Amended by R.2005 d.130, effective May 2, 2005.

See: 37 N.J.R. 18(a), 37 N.J.R. 1518(b).

Rewrote the section.

Public Notice: Home Energy Assistance Program.

See: 38 N.J.R. 847(b), 4755(b).

Public Notice: Home Energy Assistance Program.

See: 39 N.J.R. 5374(a).

SUBCHAPTER 3. PROGRAM BENEFITS

5:49-3.1 Automatic payments to certain households— DFD

(a) Recipient households:

1. Certain households eligible for Food Stamps (FS) will receive automatic payments based on the information regarding income, household size, heating arrangement and fuel type contained in computer records maintained by the Division of Family Development. This information will be collected from the head of the household at each application, reapplication or recertification for FS and will be updated whenever the household reports a change. The automatic HEA payment will be extracted from the DFD's Family Assistance Management Information System (FAMIS). The households which may be extracted include certain households eligible for and receiving FS. The case must have an appropriate heating indicator and contain a payee with a valid Social Security number (SSN). The household must have a current monthly income which is less than or equal to the program's standards. Additionally, there must be no duplication of SSNs or any disqualifying information which would lead to non-selection of the case. Those households non-selected for an automatic payment may be eligible for benefits. They will receive a notice instructing them where to apply. Households which are responsible for primary fuel costs associated with residential heat shall receive a benefit based on the appropriate benefit level for the household's size, income, fuel type and heating region.

i. Automatic payments will only be made during the heating season. Entitlements will be paid in one installment. Households which do not receive automatic payments must submit an application to receive HEA.

ii. The entitlement will be paid as a full benefit to all households.

2. Eligible households which heat by electricity or natural gas will receive the automatic payment(s) in the form