

Revised: 1/2019
NOTICE TO ALL CITIZENS OF:

**Wabash Township, Tippecanoe County, IN
Regarding Township Assistance
Assistance Standards, Eligibility and Procedures**

Jennifer Teising, Trustee
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Monday thru Thursday 8:00am to Noon, or by appointment

January 2019

I. Business Hours

The office of the township Trustee is open for business Monday through Thursday 8 a.m.-12 p.m., excluding holidays, or by appointment.

II. Application Procedure

If you believe you have a need and qualify for township assistance, you must comply with the standards and procedures set forth in these guidelines and as explained by the personnel in the Trustee's office. You will be required to complete a basic application and swear or affirm that the information is complete and accurate. If applicable, you will be required to complete and sign other forms and waivers. You will be required to cooperate with an investigation of your personal finances, family responsibility and your eligibility to receive township assistance. This investigation may include a home visit and contact may be made with other members of your family, relatives and employers, both present and former if any. You will be required, to apply for any other assistance for which you may be eligible.

Failure to comply with any requirements set forth in these guidelines will make you ineligible for township assistance. Willful giving of false information will also be a basis for denial for township assistance.

All applications for assistance will be processed according to uniform, written standards and without consideration of an applicant's age, race, color, sex, religious creed, sexual preference, national origin, political belief or physical or mental handicap. Township assistance will be administered in compliance with the Age Discrimination Act of 1975 (P.L. 94-135), the Americans with Disabilities Act (42 USCS §12101 et seq.), the Rehabilitation Act of 1973 (P.L. 93-112), and Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000 d.)

III. Eligibility

You are not eligible for assistance if one or more of the following circumstances apply:

- a) Income and resources of the household exceed the township eligibility standards and no emergency exists.
- b) You willfully give false information or documentation. If you have been convicted of an offense under IC 35-43-5-7 (welfare fraud), the Trustee may not extend aid for 1 year after a misdemeanor (IC 35-43-5-7 welfare fraud) conviction or 10 years after a felony conviction (IC 35-43-5-7 welfare fraud).
- c) You fail to cooperate with or fail to provide the Trustee's office with information for determining eligibility.
- d) You fail to sign the township waiver authorizing release of information concerning your application.
- e) You use violence or abusive language in or around the Trustee's office, premises, or workfare site, or are under the influence of drugs or alcohol at the time of application. (IC12-20-17-2F)
- f) You or a member of your household, not actively receiving or pursuing disability, refuse gainful employment.
- g) You fail to complete and maintain monthly report forms required by governmental or any other programs offering assistance for basic necessities for living, such as AFDC and Food Stamp Programs or any other programs for which you may be eligible.
- h) You fail to accept free or low-cost shelter arrangement provided by relatives or others.
- i) You are evicted or ineligible for subsidized housing for violation of regulations and guidelines, or you voluntarily terminate housing assistance by moving without just cause.

- j) You fail to participate in any training program such as JTPA, when applicable.
- k) You fail to follow the printed work order requirements as explained to you and outlined in the standards.
- l) You frequently report the loss or theft of money or food stamps.
- m) You make assignment or transfer of assets for the purpose of rendering, or which will render a household eligible for township assistance by an applicant or member of the household during the six (6) months immediately prior to the date of filing an application for township assistance.
- n) If it is anticipated that a township assistance applicant or a member of his household has the potential of receiving a judgement, compensation, or monetary benefits from a third party (ie: retroactive payments for Social Security, SSI, Disability, Disability Insurance, AFDC, Medicaid or Medicare, pensions, personal accidents, unemployment compensation, etc.) the township will withhold and/or delay payment until the litigation or eligibility process is resolved or completed or other arrangements made with the Trustee's office.
- o) The township Trustee is not obligated to provide township assistance to household on AFDC (IC 12-20-6-6).
- p) If you or a member of your household withdraws from AFDC or any other assistance program.
- q) If you or a member of your household are ineligible for any assistance program or subject to recoupment due to fraud.
- r) If you or a member of your household has been terminated from AFDC for just cause or have completed eligibility in the program.
- s) You or your household fails to notify the Trustee's office of 2 consecutive missed appointments.
- t) A person who is convicted of township assistance fraud is ineligible to participate in the township assistance program for thirty (30) years. (IC 12-20-4)

IV. Employment of Individuals

If you are eligible for assistance, you or a member of your family or household may be required to work for relief for a local government agency or a not-for-profit organization and to actively seek employment unless one of the following circumstances exist:

- a) You (or they) are physically unable to work.
- b) You (or they) are a minor or over 65 years of age.
- c) You (or they) are needed to care for a family member (who lives in your household) as a result of age or physical condition.
- d) There is not work available as determined by the township Trustee.
- e) You (or they) are fully employed.

Assistance will be worked for at a rate equivalent to the Federal minimum wage. Failure to comply with printed instructions on a work order will not only cancel the work order, but will also constitute ineligibility for further assistance for one hundred eighty (180) days. (IC 12-20-111)

The Trustee may require an applicant or any member of the household to satisfy all obligations to perform work incurred in any other Indiana township. (IC 12-20-11-4)

The Trustee may provide for medical examinations where such an examination is necessary to determine an applicant's or recipient's ability to work for assistance. (IC 12-20-103.5) If necessary when an applicant or recipient is required to work for assistance granted, transportation assistance to the work site will be provided when applicant is without means of transportation and the work site is not within reasonable walking distance.

If the applicant or any member of the household is in good health, the Trustee shall insist that those persons able to labor shall seek employment and he shall refuse to furnish assistance until satisfied that those persons claiming need are endeavoring to find work for themselves. (IC 1220-10-1)

If you are unemployed, you will need to furnish, on at least a weekly basis, verifications of properly dated and non-repetitive application for employment for at least ten (10) jobs per adult for which each is qualified.

A Trustee is not required to provide shelter assistance to an otherwise eligible individual if the:

1. Individual's most recent residence was provided by the individual's parent, guardian or foster parent; and
2. Individual, without just cause, leaves that residence for the shelter for which the individual seeks assistance. (IC 12-20-16-17(g))

Shelter may also include land contract payments, mortgage payments, taxes and insurance where deemed most economical.

The overseers of the poor shall, as persons become permanent charges upon the township, as paupers, have such persons removed to the County Home. (IC 12-20-9-5 and IC 1220-17-4)

1. It is for the township Trustee to determine whether a pauper shall be removed to the County Home, or temporary relief afforded to such a pauper. (Board of County Commissioners vs. Harlem, 108 Ind., N.E.913)
2. When this determination is made and the applicant is unwilling to make application to the Tippecanoe Villa, for any reason, assistance will be limited to the amount of such assistance at the Villa. Assistance will be limited to the amount of assistance at the Villa not to exceed a period of sixty (60) days.

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

c) Essential utility services, including water service, gas service, electrical service fuel oil for heating or cooking, coal, wood or liquid propane used for heating and cooking, after Federal and State funded sources of assistance have been exhausted. Utility service must in the name of an adult member of the household or landlord or former member of the household if the applicant proves that the applicant is responsible for payment of the bill. (IC 12-20-16-3)

d) Clothing, including footwear.

e) Household essentials (necessary supplies, such as minimal household furnishings, utensils and appliances.

f) Medical services; including prescriptions and may include nursing care, doctor fees and hospitalization in certain instances, unless available through other programs. (IC 20-16-02) Applicants may be required to visit Riggs Community Health Clinic.

g) Burial expenses. The township Trustee shall consider each burial on a case by case basis. Each township shall independently conduct township burials with the vendors of their respective choice in the manner which is most economical and efficient for the township. See additional burial assistance below.

h) Certain assistance, including transportation to obtain employment on a reasonable basis.

The township Trustee may provide benefits beyond those enumerated above.

You should be aware that Indiana law states: If the Trustee determines an applicant is granted emergency township assistance under IC 12-20-6-5 may be eligible for public assistance other than township assistance, the applicant shall within fifteen (15) working days of the date the emergency assistance was granted, file an application for public assistance with the state or county departments of public welfare or another governmental entity and comply with all requirements necessary for completion of the application process. Should this applicant fail to file an application within fifteen (15) working days after the date that emergency township assistance was granted, the applicant may not be granted township assistance for sixty (60) days following the grant of township assistance on an emergency basis.

Burial Assistance

- a. The township may provide a burial plot in a township cemetery if one is not available in a family plot. The township does not supplement the cost of services beyond those required by State law; nor does it supplement other means of payment for burial services. The township will not pay for the cost of transporting the remains of any deceased indigent person back to the township or to any place outside the township or for newspaper publication.
- b. The township Trustee will assume burial expenses for services required by state law for a deceased indigent person who does not have income, insurance, cash and/or a bank account, real, personal property or other assets that may be liquidated. (IC 12-20-16-12) Residency in the township shall be determined by location of the last primary residence of the deceased. A hospital shall not be considered as a place of residence, but a nursing home or similar residential facility may be considered a place of residency unless other domicile or real property is or has been maintained or owned within the 24-month period immediately preceding the death. If an indigent who is a resident of the Tippecanoe Villa (county home) dies, residence will be considered to be the township immediately preceding domicile at the Tippecanoe Villa (county home).
- c. Clients are responsible for making arrangements for payment with the Trustee prior to burial. The next of kin of the deceased or the funeral director may apply for burial assistance. The person making application will be responsible

for verifying eligibility according to the current income guidelines as given in this document. A signed affidavit will be required. **A death certificate will also be required.**

- d. The person applying for burial assistance must first seek all other means for burial assistance before applying to the township. These include:
 - b) Social Security (\$255)
 - c) Veteran's Administration (\$100)
 - d) Cash on hand (last paycheck, savings and/or checking accounts).
 - e) Insurance benefits
- a. The Trustee shall determine the cost for the items required by law for the burial or cremation of an individual.
- b. If actual expenses incurred exceed the other available assistance as noted above, the township will pay the difference between the amount available and the **maximum township allowable amount of \$1000.00 for burial.** The Trustee may deduct from the maximum amount any monetary benefits entitled to be received from a state or federal program or any money another person provides on behalf of the deceased. (IC 12-20-16-12c)
- c. The township is entitled to a first priority claim for burial expenses against any money or personal property held by the coroner under IC 36-2-14-11. The claim will be routinely filed by the township against the estate. (IC 12-20-16-12f)

V. Conditions to Be Met Prior and Subsequent to Receiving Funds

- a) You will be required to provide current receipts for all expended funds and comply with a budget schedule and pay only approved family necessities (i.e. rent utilities, food, medicines and misc.). Only receipts for basic necessities of living will be recognized. Expenditures undocumented by written receipts will be counted as unexpended income. Expenditures for items not considered "basic necessities" will not be recognized and will also be considered unexpended income.
- b) You may be required to apply and verify that you have applied for any other assistance for which you may be eligible, including Unemployment Compensation, insurance benefits (health, disability, etc.), Social Security, Supplemental Social Security, HUD and any other subsidized rental assistance, EAP (Energy Assistance Program), Prosecutor's office to assist in obtaining child support, utility payment assistance, food stamps, AFDC, Medicaid, HCI, WIC, ARCH program, food pantries, Salvation Army, Family Services, health referral agencies, Legal Aid and Legal Services, JTPA, Career Development and similar training programs, vocation rehabilitation programs or any successor program and any other specialized benefit programs for which you may be eligible. Transportation assistance to public and private social agencies to which an applicant or recipient is referred will be provided if applicant has no means of transportation and such applicable agency is not within reasonable walking distance.

VI. Repayment to Township Assistance

If the Trustee's investigation reveals that you are eligible for township assistance and eligible to repay township assistance, you may be required to sign forms authorizing and setting forth a means to repay township assistance. You may be requested to repay township assistance if you have equity in real estate or reasonable expectation of the receipt of assignment of funds. (IC 12-20-27-1.5) You may be required to sign assignment of benefits or indemnifying mortgage forms. The mortgage form sets forth clearly that repayment will occur only on the sale of your property, death of the applicant, or other specific circumstances. You may be required to sign a Social Security Administration reimbursement authorization if applicable.

VII. Time Limit for Decisions

You will receive a decision on the application after all forms are completed and signed, verifications provided and investigation completed. **A decision will be made within 72 hours (not including Saturdays, Sundays and holidays).** The decision may be to grant assistance, deny or partially deny assistance or leave the decision pending for not more than 72 hours. (IC 12-20-6-7) If you are denied any assistance, you will receive a written notice giving reasons for the denial. This form will also advise you that you have a right to appeal the denial and tell you how to begin the appeal.

VIII. Application

To receive any township assistance, you must have completed and signed under oath or affirmation, an application with 180 days of your request. In addition, you may need to certify or verify the information on your application for each subsequent request for assistance. Except under special emergency conditions, no township assistance will be granted at any time except by a personal request at the Trustee's Office.

IX. Household Income

Applicants for all township assistance who are otherwise eligible will only be eligible if the total household income on a per month basis is less than the following standards:

Below are the **gross** income guidelines to assist the Trustee in determining eligibility for assistance through the Township Assistance Program. Special emergencies, extraordinary expenses or other unusual conditions may be considered instead of or in addition to the below standards in order to make otherwise ineligible persons eligible for the Township Special Assistance. These income guidelines are effective January 8, 2019:

<u># In Household</u>	<u>Monthly Gross Income</u>
1	\$1,561
2	2,114
3	2,666
4	3,219
5	3,771
6	4,327
7	4,876
8	5,429

More than 8, add \$553 per additional person. (Guidelines based on US Dept. of Health and Human Services).

X. Countable Income

The amount of countable income of the applicant and members of his or her household, shall not exceed more than thirty (30) days before the date of application, or accrued and legally available for withdrawal by an applicant or household member for not more than thirty (30) days after the date of application for township assistance benefits shall generally be used in the calculation of income. (IC 12-7-2-44.7) When the applicant's income has ceased or been reduced due to loss of job, reduced hours, illness, or other reasons, the Trustee shall determine eligibility using the projected gross income in the next thirty (30) days after the application and any remaining unspent income. The projected income will be counted whether or not it is actually received.

Countable income shall include the following:

- Gross wages before mandatory deductions.
- Social Security or Supplemental Security Income (SSI), Disability payments from any source and AFDC
- Unemployment compensation, Worker's Compensation (except compensation that is restricted for the payment of medical expenses), Vacation pay.
- Strike benefits.
- Sick benefits.
- Bartered goods and services provided by another individual for the payment of non-essential needs on behalf of the applicant or household member, if monetary compensation or the provision of basic necessities would have been reasonably available for that individual.
- Private or public pensions.
- Interest on bank accounts, stocks, bonds, certificates of deposit or similar assets.
- Severance pays.
- State and Federal Income Tax Refunds.
- Taxable income from self-employment.
- Alimony, child support payments and GAP support checks
- Gifts of cash, goods or services.
- Other sources of revenue or services that the township Trustee may reasonably determine to be countable income.

The income value of food stamp assistance and any value of home energy assistance payments furnished under such programs as Title XXVI, Federal Low-Income Home Energy Assistance Programs, will not be counted as income, although the applicant may be required to apply for all such available programs prior to receiving assistance. Assistance for basic needs provided by charitable organization or other non-governmental organizations will not be counted as income.

Resources available to applicants beyond that necessary for basic living needs and to earn a livelihood will be considered as assets and may affect the applicant's eligibility. (IC 12-7-2-44.7) Such items would include real property other than property that is used for the production of income, or is the applicant's primary residence that is owned wholly or in part by the applicant or members of the applicant's household which they have a legal right to sell or otherwise liquidate.

The Trustee shall, if practical and reasonable under the circumstances, require the recipient to sell or liquidate such countable assets and make the proceeds available for current basic needs. Such countable assets would include: savings and check accounts, certificate of deposits, bonds and stocks, boats or other personal property used solely for recreational or entertainment purposes. (IC 127-2-44.6) Except where it is reasonable to borrow on the equity, resources that are exempt will include a house where the household resides and an automobile.

XI. Basic Needs

If the Trustee determines an eligible applicant has any of the following needs, the Trustee has the authority to provide and will provide the most economical and practical manner:

- a) Food. The Trustee does not purchase food for anyone currently receiving food stamps.
- b) Shelter. The most practical and economical method of providing shelter will be used – based on reasonable basic rates as a per local availability, not to exceed sixty (60) days. Shelter will not be paid to relatives (as landlords) on behalf of an applicant when the applicant is living in the same household or in separate housing unencumbered by mortgage or the housing has not been previously rented by the relative to a different tenant at reasonable market rates for a period of at least six (6) months. Rental from family members shall not prevent provision of shelter benefits if the family landlord is financially unable to provide free rent to the recipient. Verification will be required. (IC 12-20-6-10d) If shelter payments are made to a relative of a township assistance applicant on behalf of the applicant or member of the applicant's household, the Trustee may file a lien against the relative's real property for the amount of township assistance shelter assistance granted. (IC 12-20-6-10d)

XII. Deposits

The Trustee will not pay deposits, prepayments, or reconnect fees charged by utilities, landlords, or to other companies. (IC 12-20-16-17f) It is the responsibility of the applicant to make arrangements for the payment of the required deposits before being granted assistance from the township Trustee.

XIII. Residency and Eligibility

Any person who has need may obtain aid from the township Trustee where he or she lives. It is not necessary to live in a particular township for any specific length of time, so long as you live in the township where you apply. You may also apply for township assistance from a township where you are not a resident, if you are in need of temporary help there and are unable to return to your township of residence for such assistance. However, a person in a township solely to apply for assistance will be ineligible. It shall be the policy of the Trustee to NOT spend township assistance funds on behalf of an applicant in order for such applicant and/or the applicant's dependents, to establish residency in this township. To be eligible for assistance, an applicant must have established a household within this township. The definition of household shall not be construed to mean temporary living arrangements made available by friends, relatives their acquaintances, or social service agencies, either public or private. The household must not have been established for the primary purpose of qualifying for township assistance. (IC 12-20-8-3)

It is unlawful to furnish any non-resident of the township with transportation until after the legal residence of the person applying has been ascertained beyond a reasonable doubt. Any transportation furnished such a person(s) shall be in the direction of their legal residence. (IC 12-2016-11)

You may be denied township assistance for one hundred eighty (180) days if you have been sent by a township where you do not reside to a location outside the township at your request, or transported to a location outside the township at public expense. (IC 12-20-9-6)

XIV. Decisions and Appeal

All decisions regarding eligibility will be based on the above standards. These standards will be posted at the office of the township Trustee and any member of the public will be permitted to inspect and copy them. Copies of these standards will also be made available to interested public and private social welfare agencies. These standards will be periodically revised, at least annually, by the township board to reflect changes in the law and cost of living. The public will be invited to participate in the revisions of the standards.

If you are denied township assistance, you believe you have a need and you believe you qualify for township assistance, this office will allow you to request a review and consideration. You are required to furnish to this office, within (7) seven days of your denial, the written reasons you believe the decision is in error.

If your request for review and reconsideration is not successful and the final decision made by this office is not acceptable to you, this office will extend your right to appeal the final decision to fifteen (15) days from the date of the final decision and you have the right to appeal that final decision to the Tippecanoe County Commissioners in Lafayette.

If the County Commissioner or any other court shall find any provision of these standards to be in violation of an ordinance, statute, or the Indiana or U.S. Constitution, then all other provisions of these standards shall remain in full force and effect.

XV. Conduct

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