



NEW HAMPSHIRE MUNICIPAL ASSOCIATION

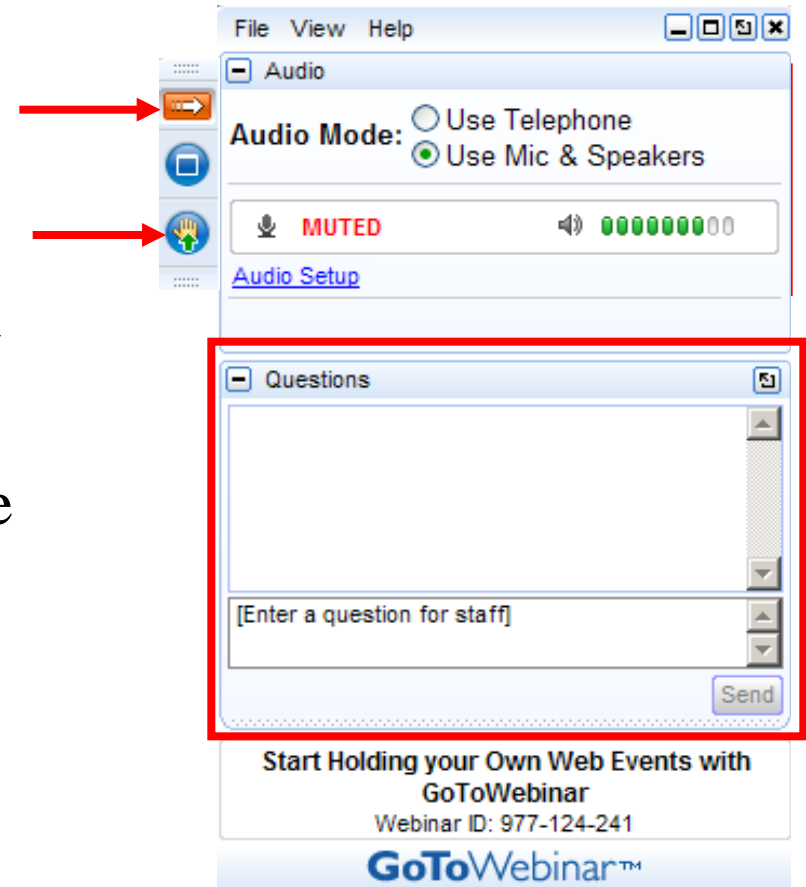


The *Art* of Welfare

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Margaret Byrnes, Esq.

How to Participate Today

- Open and close your Panel
- Submit text questions
- Q&A addressed during and at the end of today's session
- Quiz questions throughout the presentation



Duty to Provide Assistance



- Basic Legal Duty: RSA 165:1
- Humanitarian Goal



Welfare Administration



- Who?
- Availability
- Liability?



“Absolute discretion is a ruthless master.”*

Guidelines are mandatory!

- Application process
- Criteria for determining eligibility
- Appeal process
- Process for the application of rents (if used)
- Statement if qualified state assistance reductions are deemed as income

**KNOW THE
RULES!**



**Baker-Chaput v. Cammett, 406 F.Supp. 1134, 1139 (D.N.H. 1976)*

Determining Eligibility



Be Flexible



Get Releases



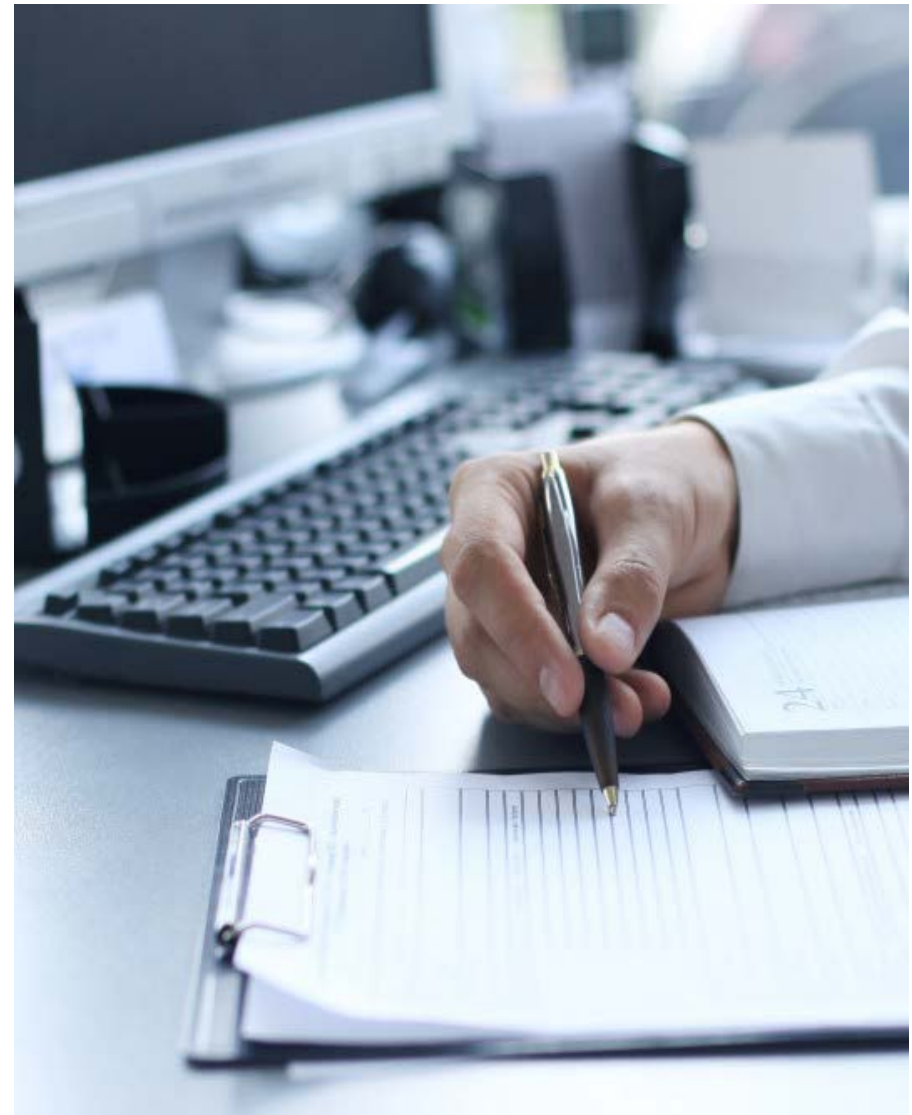
Necessary information



Accurate Records



Interim verification






NEED

less INCOME/
AVAILABLE
ASSETS

equals
AMOUNT of
Assistance.




Quiz Time



An individual comes to you and tells you he'll be evicted from his apartment tomorrow unless he pays several months of back rent plus the current month's rent. The rental amount exceeds your guidelines.


Which statement is **true**?

- A. You *are prohibited from* providing the requested assistance because it exceeds guidelines.
- B. You *may* provide the requested assistance.
- C. You *must* provide the requested assistance because it is what the applicant needs.

A silhouette of a family consisting of a woman, a child, and a man walking together, positioned on the left side of the slide.

A resident comes into your office and requests assistance in the form of repairs to his car. Your town does not have any public transportation. He has a list: one tire; brakes and calipers; and front end differential. The first two are not issues, but the second is a major repair.

Must the town pay for the repairs?

A silhouette of a family consisting of a woman, a man, and two children walking together, positioned on the left side of the slide.

Can an applicant's criminal record be taken into consideration when making a welfare decision?

A. Yes

B. No

Income that can be counted

Child Support



Income from Other Sources



Income that should not be counted



What about OAA and APTD?



Applying Welfare Payments to Landlord's Delinquent Accounts

PROVIDING THE ASSISTANCE

- Mathematical
- No limits
- Use vouchers
- Set conditions



PAYMENT VOUCHER

PV No. 001 Dated: _____

Sum of Rupees: _____

In Words: _____

Paid To: _____

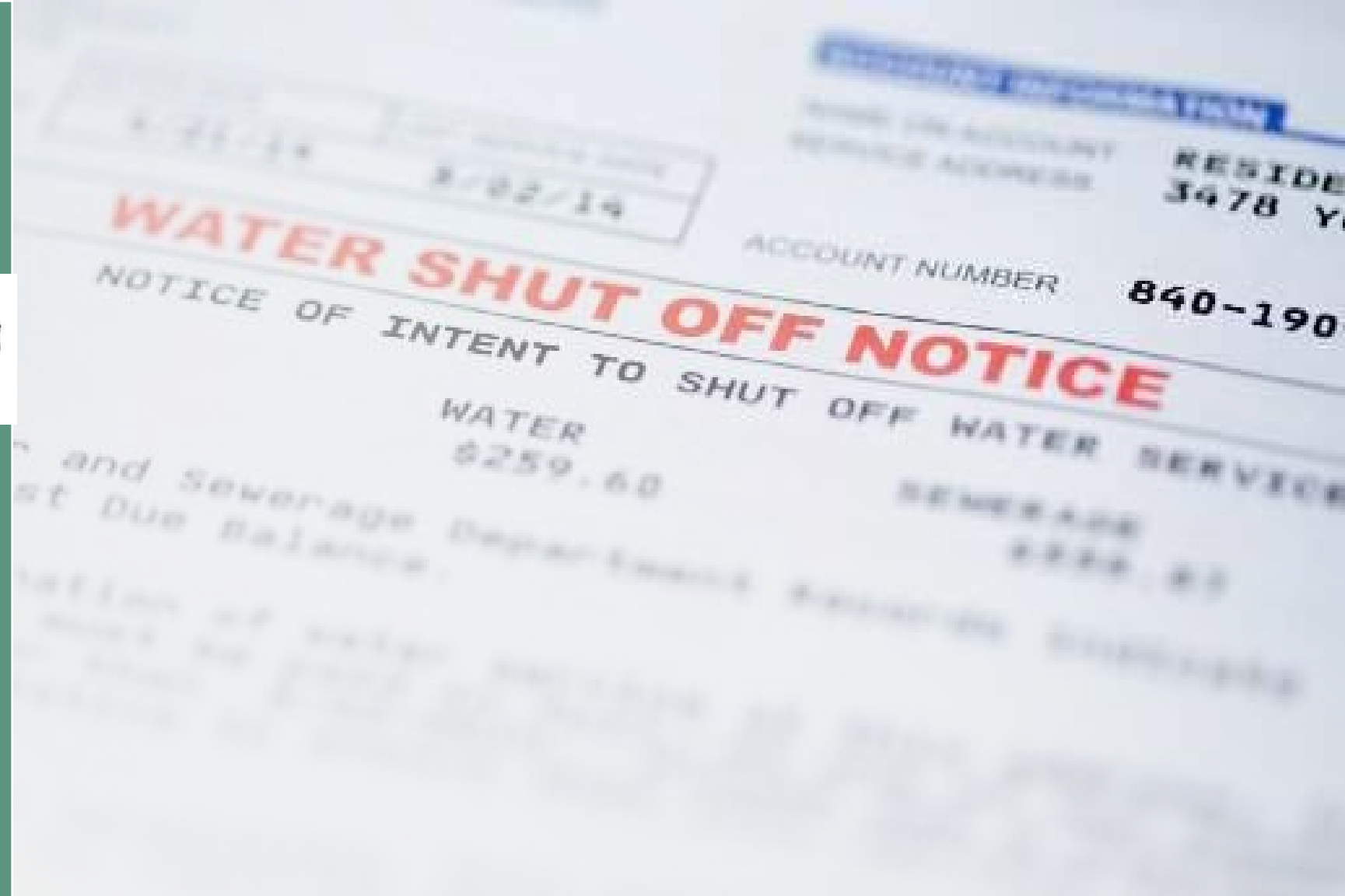
On Account of: _____

Prepared By: _____ Received By: _____



EMERGENCY ASSISTANCE:

Use common sense
72 hours



UTILITY PAYMENTS





Quiz Time

Which one is a permissible condition?

- A. The continued receipt of aid is conditioned on the recipient producing results of his weekly job search efforts.
- B. The receipt of aid is conditioned on the applicant moving into an apartment building in town with the least expensive rent.
- C. Neither one is appropriate under the law.



Financial
Disclosures

IMPOSE CONDITIONS

Apply for aid

Work search/
program
(RSA 165:31)

Disqualification, RSA 165:1-b



1

- Notice of conditions

2

- 7-day notice

3

- Suspension Notice

Other reasons for disqualification:

- Voluntary quit without good cause, RSA 165:1-d
- QSAR, RSA 165:1-e
- Transfers of property, RSA 165:2-b



Fair Hearings



What

Why

When

How





Quiz Time

Quiz Time!



Have you ever received repayment from a prior welfare recipient?

A. Yes!

B. No, never.

Recovery

Liens on real estate, RSA 165:28

Legally liable relatives, RSA 165:19

Repayment by assisted person, RSA 165:20-b

Recovery from town of assistance, RSA 165:20
(RSA 165:20-a)

Judgments & Settlements, RSA 165:28-a
(RSA 281-A:52)

Work program as offset, RSA 165:31



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THANK
YOU

*for attending
our webinar
presentation
today!*



Mission Statement

The New Hampshire Municipal Association is a non-profit, non-partisan association working to strengthen New Hampshire cities and towns and their ability to serve the public as a member-funded, member-governed and member-driven association since 1941. We serve as a resource for information, education and legal services. NHMA is a strong, clear voice advocating for New Hampshire municipal interests.

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