

Emergency Assistance Policy and Process

Expected Outcome:

This training will provide instruction in Emergency Assistance (EA) policy and the EA Application process, using non-financial and financial requirements to accurately determine eligibility and the steps to determine an EA payment amount.

Objectives:

Upon completion of the course, you will be able to:

- Establish the EA group from household members
 - Identify non-financial and financial eligibility requirements and determine eligibility
 - Identify recommended items of verification
 - Outline the timeframe for Application processing
 - Determine the payment amount for the EA group
 - Identify other resources to assist in the emergency
-

Table of Contents

INTRODUCTION	4
CASE MANAGEMENT.....	5
NON-FINANCIAL ELIGIBILITY.....	6
The EA Group	6
Care and Control Examples.....	7
EA Group Verification	10
EA Group Scenarios	11
EA VERIFICATION	13
EA DOCUMENTATION.....	15
IMPENDING HOMELESSNESS	16
Impending Homelessness: Financial Crisis and Notice to Terminate Tenancy	17
Requirement One: Verification of Financial Crisis for Impending Homelessness	18
Requirement Two: Verification of Notice to Terminate Tenancy Eviction Notice	19
Verification of Current or New Housing	20
Impending Homelessness and Foreclosure of Rental Housing.....	24
Impending Homelessness, Homelessness Due to Uninhabitable Housing.....	25
Impending Homelessness, Homelessness Due to Domestic Abuse.....	26
HOMELESSNESS	27
Temporary Living Accommodations, Including "Doubled-Up" Housing.....	27
ENERGY CRISIS	30
FIRE, FLOOD, OR NATURAL DISASTER	31
Qualifying Emergency Scenarios	34
FINANCIAL ELIGIBILITY	36
Verification of Financial Eligibility	37
Financial Eligibility Worksheet Part Two, <i>Page One</i> of the EA Application.....	38
Payment Calculation Worksheet Part Two, <i>Page Two</i> of the EA Application	38
EA PAYMENT AMOUNTS	39
Multiple EA Payments	39
EA Payment: Emergency Type and Allowable Uses.....	40
EA APPLICATION PROCESS.....	41
EA Application Form	42
Five Working Days Timeframe for Processing EA Step One: Determining Eligibility	43
Five Working Days Timeframe for Processing EA Step Two: Issuing Payment	45
Payment Delay Exception One	46
Payment Delay Exception One: Notice Process.....	47
Payment Delay Exception Two	48
EA Application Process Five Working Days Summary.....	50
FACT FINDING	51
OVERPAYMENT RECOUPMENT	51
APPENDIX	52

Emergency Assistance Application Scenario 53
EA Policy and Process Quiz 57
Helpful Websites 60

W-2 Contact Information

Questions regarding this training material should be directed via your local agency process to the Partner Training Team,

Email: PTTTrainingSupp@wisconsin.gov

A contact person is available to answer e-mailed questions related to this training material, assist you in completing any activity that you are having difficulty with, and/or provide explanation of anything else about this training material.

Questions regarding W-2 production cases and systems should be directed via your local agency process to the W-2 Help Desk at:

Email: DCFw2CARESHD@wisconsin.gov

Telephone: (608) 422-7900.

W-2 Policy questions should be directed to your Regional Office staff.

DCF is an equal opportunity employer and service provider. If you have a disability and need information in an alternate format, or need it translated to another language, please contact 608-535-3665 or the Wisconsin Relay Service (WRS) – 711.

For civil rights questions call (608) 422-6889 or the Wisconsin Relay Service (WRS) – 711.

Introduction

Emergency Assistance provides financial assistance to families experiencing a current emergency related to housing. The timeframe for processing EA applications is five-working days.

There are four EA emergency types:

- Impending homelessness
- Homelessness
- Energy Crisis
- Fire, flood, and natural disaster



Who is eligible for EA?

EA is for families with at least one caretaker relative and one dependent child. A caretaker relative may receive EA once per 12 months. The EA group must be at or below 115% below the federal poverty level (FPL) and be at or below \$2500 asset limit.

What does the grant pay for?

Depending on the emergency type, EA may pay for rent, court fees, security deposit, utility bills, necessary household items, temporary housing and more.

How much is EA?

This will depend on the EA group size:

- \$516 for 2-4 EA group members
- \$645 for 5 EA group members
- \$110 per group member for groups with 6 or more members
- \$500 for Energy Crisis regardless of the size of the EA Group

EA is just one resource for emergency housing needs for Wisconsin families. Proactive case management services are also necessary to help families obtain self-sufficiency.

W-2 agencies **must** provide information to all EA applicants regarding other local housing and emergency financial resources.



The goal of the EA program is to provide safe and permanent housing for the family (EA Manual 4.7.2).

Case Management

EA Manual Reference: 1.1 and 1.3

Agencies **must** consider the needs and social supports of the family and provide appropriate resources for the family. When making referrals, the W-2 agency **must** give the applicant all available information about how to access these services.

This includes:

- Description of the program and eligibility criteria
- How to apply:
 - Location/time that applications are accepted
 - Contact person and current phone number

Appropriate referrals may include budgeting classes, other housing assistance, energy assistance (LIHEAP/WHEAP), Community Action Program (CAP), Supportive Services (FoodShare, Medicaid/BadgerCare and Child Care), Child Welfare, domestic abuse shelters/services, Child Support Agency, medical/mental health facilities and W-2 services.

W-2 agencies are encouraged to provide appropriate case management services to families, especially for applicants that apply for EA every year and those who are found ineligible for EA. As a best practice, when the EA applicant requires assistance, agencies should assist with any necessary paperwork, and/or schedule an appointment for the applicant with the referral agency.



Appropriate case management services may include providing problem-solving strategies that involve utilizing the strengths of the family. These services may be able to assist the family in preventing future emergencies. Collaboration and coordination of agencies is vital when working with these families. It takes a community as a whole to help families. Every agency should be working together to help families as part of individualized case management services.



The W-2 Agency **must** document the referral and resources information that was provided to the EA applicant in EATS comments (EA Manual 1.3).

Non-Financial Eligibility

The EA Group

EA Manual Reference: 4.3, 4.3.1 and 4.3.2

The EA group is defined as a family that consists of at least one dependent child and at least one qualified caretaker relative. Each person in the group **must** be either:

A **dependent child** is a child who is:

1. Anticipated to live with the caretaker relative(s) during the one-month period after the date of the EA Application; and
2. Currently living with the caretaker relative(s) or has lived with the caretaker relative(s) at sometime within the six months prior to the emergency; and
3. Under the age of 18, or if age 18, is a full-time student at a secondary school or a vocational or technical equivalent and is reasonably expected to complete the program before attaining the age of 19.

OR

A qualified **caretaker relative** is an adult who is the:

- Natural or legally adoptive parent; or spouse of the natural or adoptive parent; or whose relationship to either parent is: son, daughter, grandson, granddaughter, stepson, stepdaughter, brother, sister, stepbrother, stepsister, half brother, half sister, nephew, niece, uncle, aunt, first cousin, or grand, great-grand or great-great-grand son, daughter, nephew or niece; **AND**

Each caretaker relative in the group **must**:

1. Be at least 18 years of age (unless the individual is a Minor Caretaker Relative); and
2. Be currently living with the dependent child or have lived with the dependent child(ren) at sometime within the six months prior to the emergency; and
3. Be anticipated to live with the dependent child(ren) during the one-month period after the date of the EA Application; and
4. Exercise care and control for that dependent child(ren). For purposes of EA policy, exercising care and control of the child(ren) includes decisions about the child's education, health care, and any treatment, hospitalization and long distance travel.

Care and Control Examples

Example 1: Vena has been living with her Uncle Cheng for 3 months. Vena is in 8th grade and attends the middle school nearby. Vena's mother lives in San Diego. Before moving to San Diego, Vena's mother signed a statement giving Uncle Cheng "care and control" of Vena. No kinship care or legal guardianship took place. Uncle Cheng makes decisions regarding Vena's health care, education and long distance travel. Does Uncle Cheng meet the definition of a qualified caretaker relative?

Example 2: Toua and his girlfriend applied for EA because he has been living with his Aunt Mai for 2 weeks. Toua has three children, ages 3, 6 and 10. He had to move out of his apartment immediately because it was condemned due to high levels of lead. His Aunt Mai has a daughter, age 3. Mai also has two nephews: Jeb, age 7, and Devin, age 16, living with her in a 2-bedroom apartment. When Toua finds a place to live, Devin is going to move in with him to help babysit. Who should be included in Toua's EA group?

Additional Caretaker Relative Non-Financial Criteria

EA Manual Reference: 4.1


- All members of the EA group **must** be residents of Wisconsin and intend to reside in Wisconsin, but a migrant worker is not required to intend to reside in Wisconsin.
- All members of the EA group **must** be citizens or qualified non-citizens
- All adult members of the EA group **must** provide an SSN or apply for an SSN.
- Caretaker relatives in the EA group **must** not have received an EA payment within 12 months.
- The need for assistance **must** not result from the caretaker relative's refusal to accept employment or training, or both, without good cause as determined by the W-2 agency.
- An SSI recipient who meets the requirements to be an eligible EA group member **must** be included in the EA group.

EA 12 Month Time Limit and Verification

EA Manual Reference: 4.2

W-2 Agencies **must** use EATS to verify whether the caretaker relative has received EA in the past 12 months. When a household includes a caretaker relative(s) who already received EA within the past 12 months and a caretaker relative(s) who did not receive EA within the past 12 months, the caretaker relative(s) who already received EA **must** be excluded from the EA group. The caretaker relative(s) who did not receive EA within the past 12 months will be the qualified caretaker relative and should be included in the EA group.

Children may be included in more than one EA group within a 12-month EA payment period if they live with a different qualified caretaker relative(s) during that time.

 When there is a family reconfiguration that results in a potential EA payment for the same child(ren) who had been included in a previous EA payment within the prior 12 months, the W-2 agency **must** verify the residency of the adult(s) who has care and control of the child(ren) (EA Manual 4.2).

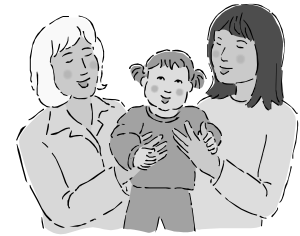
Minor Caretaker Relative

EA Manual Reference: 4.3.3

An individual under 18 years of age is ineligible to be a qualified caretaker relative unless **one** of the following applies:

1. The minor is or has ever been married;
2. The minor has no parent, legal guardian, or other appropriate adult relative who is living or whose whereabouts are known;
3. No living parent, legal guardian, or other appropriate adult relative allows the minor to live in their home;
4. The minor or the minor's child for whom assistance is requested is being or has been subjected to serious physical or emotional harm, sexual abuse, or exploitation in the residence of the minor's own parent or legal guardian;
5. Substantial evidence exists that an act or failure to act would present imminent or serious harm if the minor and his or her child lived in the same residence with the minor's own parent or legal guardian; or
6. The W-2 agency otherwise determines that it is in the best interest of the minor's child to waive the prohibition on assistance to unmarried caretakers who are under 18 years of age.

Notes:



EA Group Verification

EA Manual Reference: 4.3.4 and 2.1

Information regarding all EA group members **must** be verified. This includes:

- Identity and citizenship; and
- WI residency of the EA applicant and/or caretaker relative(s); and
- Child(ren) in the EA group and the relationships of the EA group members.

The W-2 agency may use the list of suggested sources for verification in W-2 Manual 4.1.2. The agency may contact appropriate agencies such as child support or economic support to determine if the caretaker relative(s) has custody or placement of the child(ren) listed on the EA Application or query information systems such as CARES or KIDS.

★ W-2 agencies **must** query information systems such as CARES, ECF and KIDS and review other household configurations as a step in the verification process (EA Manual 2.1 and 4.3.4).

What steps might your agency take to authenticate questionable information in these examples?



1. Someone who does not have custody or placement of his/her children, but has included them on the EA Application.

2. The applicant does not provide an SSN.

3. The EA applicant or a member of the EA group is a relative of the property owner or living with the property owner.

EA Group Scenarios

Is there an eligible EA Group: Who is excluded and Why?

Scenario 1: Lucinda applied for EA six months ago when she lost her job and received an eviction notice. She and her two children (ages 4 and 9) received an EA payment of \$516. Two weeks ago, her sister Maria and her two children moved in with Lucinda because Maria received an eviction notice. Maria lost her job two months ago, so she is applying for EA.

Scenario 2: George has applied for EA. He lives with his wife, Laurie, and their four children. Nine months ago, George and Laurie separated. George moved to a different county with the two oldest children (ages 10 and 13). George and those two children received EA in that county eight months ago. At about the same time Laurie and the other two children (ages 2 and 5) also received an EA payment. George and Laurie have reconciled, and they all have been living together for the past two months.

Scenario 3: Troy and his son Kyle (age 16) are living with Troy's best friend Ken and his wife, Amy, because Troy's apartment building burned down a month ago. Ken and Amy have four children and live in a three-bedroom house. Troy and Kyle are living in the basement. Troy is collecting UC. He has come in to apply for EA.

Scenario 4: Crystal and her son Justin (age17) live with Crystal's boyfriend, Tom. Two weeks ago, Crystal got into a huge fight with Tom and he kicked her out of the apartment. Crystal and Justin are staying with Crystal's friend, Belinda. Belinda has three children and lives in a three-bedroom duplex, but Belinda just received an eviction notice. Belinda has come in to apply for EA.

Scenario 5: Pedro and Jacinda have two sons, Jesus and Julio (ages 2 and 3). Jacinda's mom, Anita, watches the children when Pedro and Jacinda are at work. Pedro and Jacinda are migrant workers. The two-bedroom apartment they are living in has been condemned by the city. Pedro is applying for his social security card. Jacendia has come in to apply for EA because she is nervous about where they are going to live.

EA Verification

EA Manual Reference: 2.1

Within **5 working days** after the receipt of the complete EA Application, the W-2 agency **must** attempt to verify:

1. The EA Group;
2. The caretaker relative(s) has not received EA in the past 12 months;
3. Financial eligibility;
4. The qualifying emergency; and
5. For energy crisis and impending homelessness/financial crisis **only**: that the emergency was caused by a financial crisis that is beyond the control of the caretaker relative.

The agency **must** request necessary verification from the EA applicant as quickly as possible to allow the EA applicant sufficient time to obtain and provide the requested information. If the EA applicant requests assistance in obtaining the verification information, the W-2 agency **must** provide assistance. This includes newborn children in the EA group.

If the EA applicant is experiencing more than one type of emergency, and is requesting an EA payment for more than one type of emergency, the W-2 agency **must** request verification information related to all emergency types.

Verification ideally consists of a reliable report from an independent source (e.g., third party) or the agency's direct observation. Written verification is *preferable* to oral verification. Verification received orally from the applicant and/or other sources **must** be documented in EATS comments. Written verification **must** be scanned and stored in ECF (if known to CARES) or kept in the paper file.

When third party verification is not available, the W-2 agency may accept a signed statement in lieu of the missing information. The signed EA Application is considered a signed statement. W-2 agencies also may develop their own documents for this purpose.

When documents or other information appears questionable or inconsistent, the W-2 agency **must** attempt to verify the authenticity of the documents and information with the issuing entity. In addition, agencies may choose to require that a supervisor approve the determination of eligibility and/or issuance of any EA payment in cases when documentation is questionable.

If the W-2 agency has taken steps to verify the questionable or inconsistent information and has been unable to do so within the 5 working days timeframe, the W-2 agency **must** make an eligibility decision based on available information. If the available information is not sufficient to demonstrate the applicant's non-financial and financial

eligibility, the W-2 agency **must** deny the application and communicate to the EA applicant that the EA Group may reapply.

★ The W-2 agency **must** complete a query in CARES and KIDS as a step in the verification process. The W-2 agency also **must** utilize documents found in ECF that can be used for EA verification, if current. If you are using screen prints, be sure to document on the print out what you are using it to verify. Information found in CARES, KIDS and ECF that is used for EA financial and non-financial eligibility **must** be either:

- A) Documented in EATS comments; OR
- B) Screen prints (from CARES/KIDS/CWW) OR
- C) Copies (from ECF) **must** be included with the EA Application (EA Manual 2.1).

Information required by the W-2 agency such as a W-9 form, for accounting or tax purposes, is not required for determining eligibility or issuing the payment. The W-2 agency may request this information, but it cannot be required, delay determining eligibility or delay issuing the payment.

Notes:

EA Documentation

EA Manual Reference: 2.1 and 7.1

The EA Application notices and verification **must** be scanned to ECF for *all* EA applicants that are known to CARES. For all other applicants, all documents **must** be in a paper file. The W-2 agency **must not** create a Request for Assistance (RFA) solely for documenting the EA Application.

EA case comments **must** be entered into EATS. In cases where an EA applicant also has an open case in CARES, the W-2 agency may enter case comments in CARES/CWW or on WPSS (Supportive Services Summary Page) in CARES in addition to EATS case comments.



Note: W-2 agencies **must** document their decision-making process in EATS. EATS allows only 3500 characters in the Comments section (in each Request Details and Payment Details), so you may need to include brief explanations. Documentation **must** either be scanned into ECF (if known to CARES) within 30 calendar days or stored in the paper file. Documentation **must** include the EA Application, Notice of Decision(s) and verification (EA Manual 7.2 and W-2 Manual 4.4.2).



New EA Request Details For Francie Crawford (DOB 01/19/1984)

Application Date: * 12/20/2016 (mm/dd/yyyy)

Emergency Type: * Impending homelessness (Financial Crisis and Notice to Terminate Tenancy)

W-2 Contract Agency: * State of Wisconsin (Statewide)

Status: * On hold

Payment Delay Exception: []

Maximum Payment Amount: * 516 (xxx,xxx.xx) or (xxx)

Comments: Frankie applied for EA due to a reduction in her work hours due to the slow season. Frankie has one child Amy who is 3 years old, verification items were viewed in ECF, Birth Certificates scanned on 3/7/15. Discussed local resources for our area and the guide was issued, also provided information on how and where to apply for W-2. Frankie provided pay stubs to show the reduction in work hours/earnings. Frankie reports no other assets or income.

497 of 3500 characters.

CARES PIN: Not Found

Qualifying Emergency

To be eligible for EA, the EA Group **must** have a current emergency due to at least one of the following:

1. Impending homelessness
 - Financial Crisis and Terminate Tenancy
 - Eviction
 - Home Foreclosure
 - Foreclosure of a Rental Housing
 - Uninhabitable Housing
 - Domestic Abuse
2. Homelessness
 - Temporary Living Accommodations including doubled-up housing
 - Uninhabitable Housing
 - Domestic Abuse
3. Energy Crisis
4. Fire, Flood or Natural Disaster

Impending Homelessness

EA Manual Reference: 4.7

A group may be eligible under the condition of impending homelessness due to:

1. A qualifying financial crisis that resulted in a notice to terminate tenancy for non-payment of rent or mortgage
2. Foreclosure of Rental Housing
3. Uninhabitable Housing
4. Domestic Abuse

Note: Impending homelessness and homelessness due to uninhabitable housing or domestic abuse will be combined for training purposes because the definitions and verifications are the same for both of these two emergencies.




Impending Homelessness: Financial Crisis and Notice to Terminate Tenancy

EA Manual Reference: 4.8

A group is eligible under the condition of impending homelessness if the group meets the following **two** requirements:

- 1) **The group is experiencing a financial crisis that is due to reasons beyond the control of the caretaker relative(s) of the group or that constitutes good cause as determined by the W-2 agency. The financial crisis must be caused by one of the following:**
 - a) Loss of employment that does not include voluntarily leaving employment without good cause; or
 - b) Substantial loss of wages due to illness or injury of an EA group member, domestic violence, lack of child care, a transportation breakdown, or a reduction of work hours by an employer including temporary employment; or
 - c) Loss of income due to a second parent leaving the group; or
 - d) Exceptional, unexpected, and necessary expenses that are not the responsibility of a third party, such as car repair expenses necessary for transportation to work or medical expenses not covered by insurance; or
 - e) Loss of W-2 benefits due to a sanction that is subsequently overturned through a Fact Finding; or
 - f) Other similar reasons as determined by the W-2 agency that the group is experiencing a financial crisis beyond the control of the caretaker relative(s), including but not limited to substantial depletion/loss of:
 - Child support;
 - Support from another caretaker relative or adult household member, relative or other person outside the home who provided financial support to the EA group;
 - Unemployment Insurance (UI);
 - Student financial aid for housing;
 - Income tax refund;
 - Decrease in a W-2 payment due to a sanction for which the W-2 participant is subsequently found to have good cause.

2) As a result of the financial crisis, the EA group received a notice in the name of the EA applicant to terminate tenancy because of non-payment of rent or mortgage (or land contract).

 **Note:** The financial crisis and the notice to terminate tenancy do not need to occur in the same month. An application for EA can be submitted in either the month of the emergency, or the month following the emergency. However, the emergency **must** be a result of the financial crisis (EA Manual 4.8).

Example: Christina was laid off from her job in February. She paid her rent for March, April, and May using her income tax refund. She still has been unable to find a job. In June, Christina's mom paid her rent. In July, she received an eviction notice. The month of the emergency would be July because that is the month she received the eviction notice (even though the financial crisis occurred prior to the eviction). Christina could apply for EA in the month of the emergency (July) or in the month following the emergency (August).

Requirement One: Verification of Financial Crisis for Impending Homelessness

The agency's verification of a financial crisis for impending homelessness may include, but is not limited to:

- ✓ Employer's documentation of income reduction;
- ✓ Employer's documentation about reduced pay hours;
- ✓ Pay stubs over a period of time that demonstrate a reduction in or elimination of work hours or pay;
- ✓ Employer's documentation about employment termination;
- ✓ Documentation by a third party of income reduction for self-employment or independent contract employment;
- ✓ Evidence possibly in Kids Information Data System (KIDS) of reduced child support payments;
- ✓ Documentation of substantial depletion or loss of:
 - ✓ Income from child support, Unemployment Insurance (UI) student financial aid or income tax refund
 - ✓ Support from another caretaker relative or other adult household member
 - ✓ Relative or other person outside the home who provided financial support to the EA Group
- ✓ Layoff notice;
- ✓ Receipts from a medical facility showing medical expenses;

- ✓ Receipts from a mechanic for repair expenses of a vehicle that will be used to obtain or maintain employment, along with documentation of vehicle ownership; or
- ✓ Copies of relevant CARES screens documenting good cause for non-participation or Fact Finding decision.

Requirement Two: Verification of Notice to Terminate Tenancy Eviction Notice

EA Manual Reference: 4.8.2

A renter may be eligible for impending homelessness if the individual is being evicted for non-payment of rent, and the eviction was caused by a financial crisis. The following notices qualify as an eviction notice for EA eligibility:

1. A notice terminating tenancy for failure to pay rent that meets the minimum requirements of Sections 704.17 of WI Statutes. The type and contents of the notice may differ depending on the type or length of rental lease, but for the purposes of EA, the notice **must**:
 - A. Be in writing and be dated.
 - B. Indicate that the “tenancy is terminated” and the eviction is due to non-payment of rent. The eviction notice may list additional reasons for eviction, but **must** include non-payment of rent as one of the reasons.
2. A summons and complaint for an eviction action that is based on non-payment of rent. This action is filed with the court.

Some eviction notices allow the EA applicant the right to “cure” or stop the eviction. If the rent is paid, the applicant can remain in the rental property. Other eviction notices do not allow the applicant the right to cure the eviction; therefore, the applicant will be evicted even if the rent is paid.

For EA purposes, W-2 agencies do not need to determine whether there is a right to cure. As long as the eviction notice is for non-payment of rent, it meets the EA eligibility requirements for impending homelessness. The W-2 agency **must** verify whether the current property owner is willing to accept the EA payment and stop the eviction when the EA payment is received.

Verification of Current or New Housing

EA Manual Reference: 4.8.2, 5.3.1 and 5.3.2


Prior to issuing the EA payment for impending homelessness due to financial crisis and notice to terminate tenancy, the landlord, bank or local government that issued the notice to terminate tenancy **must** agree not to proceed with the eviction or foreclosure if they accept the EA payment.

The W-2 agency **must** attempt to obtain this verification within the 5 working days timeframe; however, if unable to do so within 5 working days, an EA payment delay exception may apply.

The confirmation may be verbal or in writing based on the agency's assessment of the specific situation. However, when the confirmation is verbal, the agency **must** document this conversation in EATS comments and **must** follow-up by sending a cover letter enclosed with the EA payment to the property owner, bank or local government, which states:

- For eviction: "You already agreed to not proceed with the eviction. Your acceptance and retention of this payment further ratifies this agreement and constitutes a stipulation to dismiss the eviction." **OR**
- For foreclosure: "You already agreed to not proceed with the foreclosure for non-payment of mortgage. Your acceptance and retention of this payment further ratifies this agreement."

This cover letter language means the property owner, bank or local government agrees to end any pending eviction action or stop any pending foreclosure action.

 If the property owner is *unwilling* to stop the eviction process, the W-2 agency **must not** issue an EA payment to the property owner. The W-2 agency **must** inform the EA applicant that s/he has the option to move. The W-2 agency is encouraged to provide referral information and case management services to assist the EA Group in obtaining new housing. Prior to issuing an EA payment for new housing, the W-2 agency **must** obtain verification such as a lease (EA Manual 4.8.2).

Notes:

Verification of Notice to Terminate Tenancy: Foreclosure

EA Manual Reference: 4.8.3

A homeowner may be eligible for EA for impending homelessness if the individual has a financial crisis and has one of the following notices related to failure to pay his/her mortgage or property taxes:

- ✓ A notice of foreclosure for failure to pay property taxes or a mortgage from a financial institution or city or county; or
- ✓ A summons and complaint for a foreclosure action that is based on failure to pay property taxes or a mortgage; or
- ✓ A writ of assistance, notice of sale, or other verifiable documentation that a foreclosure judgment has been entered against a member of the EA Group requiring the EA Group to vacate the premises imminently.

For additional information about property ownership and foreclosure notices, agencies may:

- ✓ Contact the agency's legal counsel;
- ✓ Search for a foreclosure notice filed with the court on the Wisconsin Circuit Court Access website at: <http://wcca.wicourts.gov/index.xsl>; or
- ✓ Contact the city or county real estate assessor's office to verify property ownership (homeowner or rental property).

Notes:

Stay of Eviction Proceedings in Impending Homelessness

EA Manual Reference: 1.4

Some EA applicants are facing impending homelessness due to an eviction action filed with the court. The W-2 agency **must** inform the EA applicant that s/he can request that the eviction be stayed (postponed) by the court pending the EA eligibility decision. However, the EA applicant is **not** required to request a stay of eviction court proceedings as a requirement of EA eligibility.

The stay of eviction remains in effect until the tenant's eligibility for EA is determined, and if the tenant is determined to be eligible, until the EA payment is received. A court ordered stay of an eviction stays all proceedings in the case. After a stay has been issued, the property owner may not proceed with the eviction even if the property owner is asserting additional grounds for the eviction.

Below are the steps the W-2 agency **must** take:

1. Inform the EA applicant that s/he may petition the court for a stay (postponement) of eviction pending the outcome of his/her EA Application.
2. Provide the EA applicant with documentation that the EA Application has been date stamped as received by the W-2 agency.
3. Inform the EA applicant that s/he will be notified in writing of the eligibility decision.

The W-2 agency **may** assist an EA applicant who has a court ordered eviction action by:

- Providing the EA applicant with copies of Form SC-5510 "Petition for Stay of Eviction Based on Applicant's Application for Emergency Assistance" and Form SC-5500 "Statement on Eligibility to Receive or Receipt of Emergency Assistance." These forms can be completed at the same time; however, the applicant will submit the "Petition for Stay of Eviction" form initially and the second form when the EA eligibility determination has been made.
- Explaining that the "Petition for Stay of Eviction Based on Applicant's Application for EA" form **must** be signed in the presence of a notary public. Also, inform the EA applicant that a valid form of identification is needed to have the form notarized. If the W-2 agency does not have a notary public on staff, provide information to the EA applicant where to go to get the form notarized.
- Informing the EA applicant how and where to file the "Petition for Stay of Eviction Based on Applicant's Application for EA" with the court.
- Informing the EA applicant that when the Notice of Decision is received, s/he **must** submit the "Statement on Eligibility to Receive or Receipt of EA" along with a copy of the Notice of Decision.

★ The W-2 agency **must** document in EATS comments the steps that were taken to assist EA applicants with a court ordered eviction (EA Manual 1.4).

Example: Vivian has been unable to pay rent for the past 3 months because her boyfriend moved out. Vivian has two daughters (ages 2 and 4) and applied for EA because she received an eviction notice. Vivian wants to stay in her apartment because she has nowhere else to go and her children are still in school. She has a part-time office job, and her children's childcare is nearby. The property owner filed the eviction notice with the court and she has a court hearing in two weeks. When she applied for EA, she was given the information about the Petition for Stay of Eviction Based on Applicant's Application for EA (SC-5510) and Statement on Eligibility to Receive or Receipt of EA (SC-5500).


The W-2 agency informed her that the Petition for Stay of Eviction **must** be signed in the presence of a notary public and a valid form of ID is needed to have the form notarized. They informed her that the First Rate Bank could get her petition notarized. In addition, Vivian was given a copy of her EA Application that **must** be submitted when she files the Petition for Stay of Eviction with the court. The W-2 agency gave her instructions about how and where to file the Petition. Two days later, after Vivian submitted all her verification, her EA Application was approved. She then completed the Statement on Eligibility to Receive or Receipt of EA and submitted it to the court along with her Notice of Decision Form. The agency worker documented the steps the agency took to help Vivian in EATS. Prior to issuing the EA payment, the W-2 agency verified that the landlord was willing to end the eviction.

Impending Homelessness and Foreclosure of Rental Housing

EA Manual Reference: 4.7.3

An EA Group is eligible under the condition of impending homelessness due to foreclosure of rental housing when **all** of the following conditions apply:

1. The EA Group is residing in rental housing that currently is subject to a foreclosure action; and
2. The EA Group has received written or oral notice that the group **must** vacate the rental housing within 30 days of the EA Application date because of a foreclosure action against the owner; and
3. The EA Group needs EA to obtain a permanent living accommodation.

 EA eligibility for impending homelessness due to foreclosure of rental housing does **not** require a financial crisis (EA Manual 4.7.3).

Verification of Impending Homelessness and Foreclosure of Rental Housing

EA Manual Reference: 4.7.4


The W-2 agency may verify that a foreclosure action has been filed with the court in the name of the property owner on the Wisconsin Circuit Court Access website at:
<http://wcca.wicourts.gov/index.xsl>.

Notes:

Impending Homelessness, Homelessness Due to Uninhabitable Housing

EA Manual Reference: 4.6.2 and 4.7.1

An EA Group is eligible under the condition of impending homelessness or homelessness if the EA Group **must** leave their current housing because it is uninhabitable as determined by the local building inspector, local health department or other appropriate local authority such as the local Community Action Program agency. The W-2 agency is not considered an appropriate authority to determine that housing is uninhabitable.

 EA eligibility for impending homelessness and homelessness due to uninhabitable housing does **not** require a financial crisis (EA Manual 4.7.1).

Verification of Impending Homelessness and Homelessness for Uninhabitable Housing

EA Manual Reference: 4.6.4

The W-2 agency may obtain a statement from the building inspector, health department or other appropriate local authority. Staff from the local Community Action Programs are familiar with building codes and may be an appropriate source of verification.

Notes:

Impending Homelessness, Homelessness Due to Domestic Abuse

EA Manual Reference: 4.6.3 and 4.7.2

An EA Group is eligible under the condition of impending homelessness or homelessness due to domestic abuse if the emergency is caused by a member of the EA Group being subject to domestic abuse.

WI State Statute 968.075(1)(a) defines domestic abuse to mean any of the following engaged in by an adult person against his or her spouse or former spouse, against an adult with whom the person resides or formerly resided, or against an adult with whom the person has a child in common:

1. Intentional infliction of physical pain, physical injury or illness;
2. Intentional impairment of physical condition;
3. Sexual assault as defined in section [940.225\(1\), \(2\) or \(3\) Wis. Stats.](#); or
4. A physical act that may cause the other person reasonably to fear imminent engagement in the conducts described in the previous three items.



EA eligibility for impending homelessness due to domestic violence does **not** require a financial crisis (EA Manual 4.7.2).

Verification for Impending Homelessness, Homelessness and Domestic Abuse

EA Manual Reference: 4.6.4

In the case of domestic abuse, verification from a third party may not be possible. The agency may accept whatever verification is available. In some cases, the complete and signed EA Application may be the only verification available.




If impending homelessness or homelessness is due to domestic abuse, the EA applicant is **not** required to provide an eviction notice.

Homelessness

EA Manual Reference: 4.6

An EA Group is eligible under the condition of homelessness when the EA Group needs financial assistance to obtain permanent housing and the EA Group meets one of the following criteria:

1. The EA Group is living in a place that is not designed for, or ordinarily used as, a regular sleeping accommodation (examples include cars, public hallways, parks, bus stations, and building entrances).
2. The EA Group is in a shelter that is designed for temporary accommodation (examples include motel, hotel or emergency shelter facility), or the EA Group lacks a fixed, regular, and adequate nighttime residence.
3. The EA Group has left their current housing because the housing is uninhabitable.
4. A member of the EA Group is a victim of domestic abuse.

 EA eligibility for any of the homelessness reasons listed above does **not** require a financial crisis (EA Manual 4.6).

Temporary Living Accommodations, Including "Doubled-Up" Housing

EA Manual Reference: 4.6.1

Generally, motels and hotels are temporary living accommodations; however, the W-2 agency **must** consider the specific circumstances. For example, a monthly lease at a motel or hotel may indicate permanent housing similar to other rental homes. The EA applicant's intent to stay in a motel or hotel long term does not indicate that the motel or hotel is permanent housing.

An EA Group residing in "doubled-up" housing meets the homelessness definition when the EA Group:

- Is not on the lease/mortgage (the lease/mortgage would be in the name of the "host family"); and
- Is using the "doubled-up" housing as a short term housing solution, and otherwise the EA Group would be homeless; and
- Has been residing in the "doubled-up" housing for one month (30 days) or less.

Often those living in a temporary or doubled-up living arrangement are residing in a home that has more people living in it than the house is designed to accommodate.

Verification of Homelessness, Temporary Living Accommodations and “Doubled-Up” Housing

EA Manual Reference: 4.6.4

The agency’s verification of temporary living accommodations and “Doubled-Up” Housing may include, but is not limited to, the following:

Temporary living accommodations:

- ✓ The W-2 agency may contact the shelter where the family is residing.
- ✓ Hotel/motel - The W-2 agency may verify with the motel or hotel that it is a temporary arrangement.
- ✓ The W-2 agency may accept a signed statement from the EA applicant in the absence of third party verification.

“Doubled-Up” housing:

- ✓ The W-2 agency should ask the EA applicant to try to obtain a copy of the lease from the “host family” to verify that the EA applicant is not on the lease. The agency also may obtain a statement from the person the family is residing with to confirm:
 - That the EA Group is residing there temporarily;
 - That the EA Group has been living there for less than 30 calendar days; and
 - That the EA Group cannot continue to reside there.

Notes:

How Do We Verify Homelessness?

EA Manual Reference: 4.6.4

In some homelessness situations, written verification of homelessness may not be possible. In those situations, the agency **must** accept whatever verification is available, including a sworn statement by the EA applicant or his/her representative.

List some methods your agency may have used to verify homelessness.



Energy Crisis

EA Manual Reference: 4.9, 4.9.1 and 4.9.2

To be eligible for an EA payment for energy crisis, the conditions listed below **must all** be met:

1. The EA Group has pursued other payment options or assistance for energy related costs and has exhausted resources or has been denied services from the other sources, or other funding sources do not cover the full cost of the EA Group's energy crisis;
2. The EA Group needs financial assistance to obtain or maintain heat, electricity, water or sewer service provided by a utility company;
3. The lack of, or imminent lack of, utility service providing heat, electricity, water or sewer is or is likely to be an immediate threat to the health or safety of any member of the EA Group; and
4. The energy crisis is due to reasons beyond the control of the caretaker or constitutes good cause as determined by the W-2 agency. For energy crisis, the good cause reason **must** be the result of a financial crisis (similar to that of impending homelessness).

The maximum payment for energy crisis is \$500 regardless of the EA group size.

Example: Jeannine is applying for EA due to an energy crisis. She has a 3-month-old baby. The winter moratorium from the gas company is over. She has received a notice that the gas will be turned off tomorrow unless a payment is made. Jeannine is on a payment plan with WI Energy, but still cannot afford her payments. She had not worked for 2 months prior to the birth because she was on bed rest. In addition, she is on unpaid maternity leave. She received LIHEAP last December for \$386.00.

What might your agency consider good cause of a financial crisis for energy crisis?



How has your agency verified if other resources have been accessed or exhausted?

Verification of Energy Crisis

W-2 Manual Reference: 4.9.1, 4.9.2 and 4.9.3

The EA Group may receive an EA payment for energy crisis only if other payment options through other programs and assistance still are unmet, such as:

- The Low Income Home Energy Assistance Program (LIHEAP) known in Wisconsin as the Wisconsin Home Energy Assistance Program (WHEAP);
- The local utility company/companies; and
- Any other available program.


If the EA Group has not already pursued other appropriate payment options, the EA Group **must** attempt to do so during the 5 working days timeframe. The W-2 agency **must** assist the EA Group in pursuing other payment options for energy crisis.

The W-2 agency's determination about whether or not there is an immediate threat to the EA Group's health or safety from the lack of or imminent loss of utility services **must** be based on the circumstances of the specific situation.

The lack of or imminent loss of utility service is likely to be an immediate threat to the health or safety of the EA Group, and therefore an energy crisis in the following circumstances:

- The home includes an infant or young child (defined for energy crisis as a child age 5 or younger);
- The home includes a person who requires utility service to operate essential medical equipment; and/or
- The home includes a high-risk individual of any age for example, a person whose physical health is frail or compromised.

The W-2 agency **must** verify that the applicant has exhausted all other resources available. The W-2 agency **must** document in EATS comments what other payment options were available to the EA applicant, whether the EA applicant applied for other payment options, and the outcome of the efforts to obtain other resources.

 **Note:** Energy crisis is the only emergency type that **requires** the applicant to pursue other payment options as a condition of eligibility (EA Manual 4.9.1).

List resources that may be available in your local area for energy crisis.



Fire, Flood, or Natural Disaster

EA Manual Reference: 4.5

Applicants may be eligible for EA when experiencing a housing related emergency due to a fire, flood, or natural disaster, which includes, but is not limited, to:

1. Tornados;
2. Earthquakes;
3. Electrical storms;
4. Wind storms;
5. Hail;
6. Sleet;
7. Mud and/or rock slides; or
8. Explosions or fires resulting from lightning strikes.

★ EA eligibility for fire, flood or natural disaster does **not** require a financial crisis (EA Manual 4.5).

Read the following scenarios. Approved or Denied?

Example 1: An applicant applied for EA because a tree fell on the applicant's home after a major rainstorm. Part of home and furniture was damaged because of the exposed hole in the roof. Should the EA Application be approved or denied?



Example 2: An applicant applied for EA to replace his or her furnace that was destroyed in a flood. Should the EA Application be approved or denied?

Verification of Fire, Flood or Natural Disaster

EA Manual Reference: 4.5.1

Verification of fire, flood or natural disaster **should** be done by a reliable report, such as a report from a neutral third party.

How do we verify fire, flood, or natural disaster?



Qualifying Emergency Scenarios

Is there a qualifying emergency? Why or Why not? What case management services could be offered?

Scenario 1: Roberta has applied for EA to pay rent for a new apartment. She and her three year old daughter used to live with her husband. Last week, her husband tried to choke her. Roberta and her daughter have been sleeping in her car for the past four nights.

Scenario 2: Brooke received an eviction notice. She could not pay her rent because she was fired from her job. She has two sons (ages 3 and 12). Two weeks ago, they moved in with her boyfriend until she can find her own place. Her boyfriend has two daughters and his apartment is a two-bedroom.

Scenario 3: Manny applied for EA to help pay for his electricity and gas bills. He has three children (ages 2, 3, and 5). Manny was laid off from his job three months ago. He has been using his unemployment income to pay his mortgage. His bill is \$780.00. He received a notice from the electric company that his March and April bills are past due. They will cut off service by the end of this month if a payment is not made.

Scenario 4: Tyrone and his son Cole (age 7) have been living with Tyrone's mother for three months because his home was foreclosed. Tyrone's mom has been helping with childcare and taking Cole to and from school. Tyrone just got a job at Ace Hardware Store and is looking for a place to live. His job is 20 hours a week, is paid weekly, and his hourly pay is \$8.00.

Scenario 5: Felicia is seventeen years old. She has a one-year-old daughter and is eight months pregnant. Currently she is living in the Neighborhood Home, which is a temporary homeless shelter (up to 1 year) for young parents. Felicia's parents kicked her out of their home. This is why she is in the Neighborhood Home. Felicia is graduating from high school next month. She has been living in the neighborhood Home for 11 $\frac{1}{2}$ months and needs help getting her own place.

Financial Eligibility

EA Manual Reference: 3.1

During the first section of training, we discussed who is eligible in the EA group and other non-financial eligibility criteria. If non-financial eligibility requirements are not met, the EA Application is denied.

If non-financial eligibility requirements are met, the next step is to determine financial eligibility. Use Part 2 of the EA Application to determine financial eligibility and the payment amount.


In order to be financially eligible, the EA group **must** be at or below 115% of the Federal Poverty Level (FPL) and not exceed the asset limit of \$2500 at application. In addition, EA has the same income disregards and asset limits as W-2, which are described in **Chapter 3 of the W-2 Policy Manual**.

If the EA applicant is in any W-2 placement for less than 30 days **except** CMF at the time of the EA Application, financial eligibility for EA has been met. Print the **Placement Page** from CWW and attach it to the EA Application as verification.

If the applicant is **not** in a qualifying W-2 placement at the time of the EA Application, the W-2 agency **must** use Part 2, Page 1 of the EA Application to determine financial eligibility. This form is an MS Excel worksheet that calculates financial eligibility using information that is entered by the worker.

If the person is **not** in a qualifying W-2 placement, the agency **must** collect financial information at the time of application. The W-2 agency may use CARES information if it is current for the month of the EA application. If not, the W-2 agency will have to obtain current information.

When the EA applicant is receiving Child Care (CC), FoodShare (FS), or Medicaid, or in a W-2 CMF placement, the W-2 agency may utilize financial eligibility information in CWW / CARES to assist in determining eligibility for EA. For example, if the applicant is receiving FS, the W-2 agency could use earned income data from the CWW employment page to complete the Financial Eligibility Worksheet. Because this information has been verified for FS, there is no need to re-verify the information for EA.

 EA applicants who are open in CWW/CARES for CC, FS or MA do not automatically meet EA financial eligibility. CC, FS, and MA have different eligibility criteria and different income thresholds. The W-2 agency will need to determine financial eligibility for these applicants (EA Manual 3.1).

Verification of Financial Eligibility

EA Manual Reference: 3.2 and 3.3

If the EA Group members do not have current information in CARES, the W-2 agency **must** request verification of financial eligibility from the EA applicant. If requested, the W-2 agency **must** help the applicant obtain verification if necessary. If financial eligibility verification is not available within the 5 working days, the W-2 agency **must** proceed with determining eligibility based upon available information. All copies of verification related to financial eligibility **must** be scanned into ECF (if known to CARES) or kept in the paper file.

EA Financial Eligibility Review: Income and Assets;



What is counted? Disregarded?

- Income must be at or below 115% FPL
- Assets must be at or below \$2500

Income	Assets
Counted:	Counted:
Disregarded:	Disregarded:
**Other	**Other

Financial Eligibility Worksheet Part Two, *Page One of the EA Application*

EA Manual Reference: 3.1

The W-2 agency **must** use the Financial Eligibility Worksheet to determine financial eligibility for EA. The Financial Eligibility Worksheet is an Excel worksheet that automatically calculates financial eligibility using the data entered by the worker.

If the EA applicant is in any W-2 placement **except** CMF at the time of the EA Application, financial eligibility for EA has been met. Workers are instructed to check the box, "Currently in a qualifying W-2 placement," and print CARES screen WPWW and attach it to the Financial Eligibility Worksheet as verification of financial eligibility. No further action is required to determine financial eligibility for these applicants.


Payment Calculation Worksheet Part Two, *Page Two of the EA Application*

EA Manual Reference: 5.2

After non-financial and financial eligibility has been determined, the agency **must** proceed with determining the payment amount using the Payment Calculation Worksheet, which is Part 2, Page 2 of the EA Application.

The payment amount is determined by comparing the requested financial need to the maximum payment amount. The payment amount will be the lesser of the two for the emergency type. Part 2, Page 2 is an Excel worksheet. You need to enter only the amount of the financial need and the group size.

Depending on the type of emergency, this may determine where to send the EA payment. The payment **must** be issued within 5 working days after the application date unless a payment exception applies. Payment details **must** be entered in EATS within 10 calendar days of the voucher or check payment date. The completed forms **must** be stored with the EA Application materials and documentation.

 **Reminder:** Prior to issuing a payment for rent, security deposit or mortgage payments, the W-2 agency **must** verify that the property owner will not evict the EA group when the EA group is retaining their current housing, or **must** verify new permanent housing (EA Manual 5.3).

EA Payment Amounts

EA Manual Reference: 5.2

Maximum payment amounts for impending homelessness, homelessness, fire, flood and natural disaster are:

- \$516 for groups of 2-4 members
- \$645 for groups of 5 members
- \$110 per group member for groups of 6 or more members

The maximum payment amount for Energy Crisis is \$500 for any group size. The W-2 agency may issue the payment by check to the applicant, property owner or vendor; or voucher to the property owner or vendor

Multiple EA Payments

The W-2 agency may issue more than one EA payment as long as it is within 30 calendar days of the EA Application date. There are two situations where multiple payments may be made:

1. If **two or more emergency types** are listed on the EA Application, use the EA Application form Part 2, Page 2 and list expenses for all emergency types. Both emergencies must be verified. The worker **must** use the higher of the maximum payment amounts. The total amount of the EA payment(s) cannot exceed the maximum payment amount. The worker **must** select the emergency type for the higher maximum payment and **must** include comments in EATS to explain the specifics of the situation.
2. If the applicant applied **for only one** emergency and the caretaker relative did not receive the maximum EA payment, s/he may request an additional payment for the remaining amount as long as it is within 30 calendar days from the EA Application date. The additional EA payments **must** be documented and recorded in EATS.

Example: After a fire in their home, a family of six received an EA payment of \$425. A week later, the family discovered additional needs totaling \$360 that resulted from the fire. Because the EA group has not received the maximum EA payment amount, the EA group may receive an additional EA payment as part of the same EA payment. How much would that amount be?

EA Payment: Emergency Type and Allowable Uses

EA Manual Reference: 5.2

The EA payment may pay for specific expenses listed below.

Emergency Type and Allowable Uses	Included Expenses
Impending Homelessness <ul style="list-style-type: none"> ▪ Retain current or new housing 	<ul style="list-style-type: none"> ▪ Unpaid rent/mortgage ▪ Security Deposit ▪ First Month's Rent ▪ Late fees for past due rent/mortgage ▪ Court costs for eviction proceedings
Homelessness <ul style="list-style-type: none"> ▪ Obtain new housing ▪ Other household costs 	<ul style="list-style-type: none"> ▪ First month's rent ▪ Security deposit ▪ Necessary household items
Fire, Flood, or Natural Disaster <ul style="list-style-type: none"> ▪ Temporary housing ▪ Retain current or new housing ▪ Other household costs 	<ul style="list-style-type: none"> ▪ Temporary housing ▪ First month's rent ▪ Security deposit ▪ Clothing ▪ Medical care ▪ Transportation ▪ Necessary appliances and household items ▪ Home repairs
Energy Crisis <ul style="list-style-type: none"> ▪ Maintain or obtain utilities 	<ul style="list-style-type: none"> ▪ Heat, electric, water or sewer service provided by a utility company

EA Application Process

EA Manual Reference: 1.2

The W-2 agency **must** provide an EA Application form to all persons who request EA. The person, or the person's representative, who requests EA, has the right to complete and sign the Application in the presence of a W-2 agency staff person on the same day the person requests or inquires about EA at the W-2 agency.

The applicant may choose to apply for EA either in the geographical area where s/he is currently experiencing the emergency or in the geographical area where s/he has found permanent housing. The W-2 agency serving the person who completed the EA Application **must** process the EA Application and issue the EA payment if the group is found eligible.

To be eligible for EA, all non-financial and financial criteria **must** be met. There are two steps in the Application Process that **must** be done within five working days of receiving the complete EA Application.

★ The W-2 agencies **must** provide information to EA applicants regarding all local housing and emergency financial resources including a W-2 Emergency Payment (EA Manual 1.1).

Notes:



EA Application Form

EA Manual Reference: 1.2



There are two parts of the EA Application. Part 1 is the EA Application, which is completed by the EA applicant or representative. Part 2 is the Financial Eligibility Worksheet and the Payment Determination Worksheet, which is completed by the W-2 agency staff.

The instructions on Part 1, Page 4 of the EA Application provide the applicant information on how to complete the application, and list examples of documents and/or items of verification that may be required.

Part 1, Pages 1 and 2 of the EA Application **must** be completed by the applicant or his/her representative to the best of his/her ability.

The EA Application is **considered complete** on the date it has:

- A legible name; and
- An address (if available); and
- A reason for emergency; and
- A signature by the applicant or his/her representative; and
- Been completed to the best of his/her ability.

The W-2 agency staff person **must** sign and date stamp the EA Application on the date it is received by the agency.

An agency staff person **must** review each of the assurance statements on Part 1, Page 3 of the EA Application with the EA applicant to ensure that the applicant understands and has an opportunity to ask for clarification of each item. The EA applicant **must** initial each statement to verify that s/he understands each statement. If the applicant already initialed the statements prior to meeting with the agency worker, then the EA applicant should initial each statement again.

An agency staff person **must** complete both pages of Part 2 based upon information provided by the applicant, and sign page 3 of the EA Application.

★ All household members **must** be listed on the EA Application. However, not everyone in the household will be part of the EA Group. The EA group includes only eligible caretaker relative(s) and dependent child(ren) of the household, and the EA group **must** be entered in EATS. As an EA **best practice**, SSNs for children should be entered into EATS, although it is not required (EA Manual 4.3).

Five Working Days Timeframe for Processing EA Step One: Determining Eligibility

EA Manual Reference: 1.5

There are two steps in processing an EA Application. The W-2 agency **must** complete both steps in the process within 5 working days after the date the agency receives the complete EA Application.

For EA Applications, **working day 1** is the first working day after the complete application is received. This is the date used to determine the 5 working days timeframe; therefore, the W-2 agency **must** date-stamp the application on this day.

Working day 5 ends on the close of business on the 5th working day after the application is received. Step One **must** be completed for all EA Applications. Step Two needs to be done for all approved applications.

Example: The W-2 agency received a complete EA Application on Monday, July 2nd, in a week that included a CARES holiday on Wednesday, July 4th. The first day of the 5 working days timeframe would be Tuesday, July 3rd, the day after the EA Application was received. On Wednesday, July 4th would not be counted, and the 5 working days timeframe would end at the close of business on Tuesday, July 10th.

For all EA Applications, everything in Step One of the Application Process **must** be completed by the W-2 Agency **within the 5 working days timeframe**. The W-2 agency **must** do the following:

- Have at least one in-person contact with the EA applicant or his/her representative to go through the application and the assurance statements on Part 1, Page 3 of the EA Application.
- Determine non-financial eligibility.
- Determine financial eligibility and complete Part 2, Page 1 of the EA Application.
- Request and complete all necessary information/verification.
- For energy crisis only: Assist the EA Group in completing the pursuit of other payment options for utility expenses.
- After eligibility is determined, the W-2 agency **must** issue a Notice of Decision.
- Determine if a Payment Delay Exception applies for impending homelessness or homelessness.
- Enter the application status in EATS of Approved or Denied. In addition, enter the appropriate case comments into EATS. Case comments in CARES or CWW are optional.
 - An On Hold status will allow an EA request to be entered into EATS as a pending status. The status **must** be changed to Approved or Denied within 5 working days after the application date, and the application **must** be confirmed, or the information will be deleted in EATS. An On Hold status cannot be confirmed.
- For Approved EA Applications, Step Two, Issuing Payment, **must** be completed within the same 5 working days timeframe.



Notice of Decision Forms, the W-2 agency **must** issue a notice of eligibility to all approved and denied applicants within 5 working days of receiving a complete EA Application.
As a **best practice**, for denied applications, W-2 agencies should include the denial reason on the "Additional Comments" section of the Notice.

Five Working Days Timeframe for Processing EA Step Two: Issuing Payment

EA Manual Reference: 5.1.

The W-2 agency **must** complete the following steps for all approved EA Applications **within the same 5 working days** of the EA Application date, unless a Payment Delay Exception applies:

- For impending homelessness due to eviction/foreclosure only: Obtain confirmation from the property owner, bank or local government agreeing to waive any right to proceed with the eviction/foreclosure in exchange for the EA payment.
- For applicants moving to a new residence, prior to issuing the payment, the W-2 agency **must** verify the new permanent residence with the property owner.
- Calculate the payment amount by completing Part 2, Page 2 of the EA Application form.
- Issue the EA payment. The payment details **must** be entered in EATS within 10 calendar days from the date the voucher/check was issued.
 - If a Payment Delay Exception applies, the W-2 agency **must** issue the EA payment within 5 working days of being notified that the EA applicant has obtained new permanent housing or within 5 working days of the date the property owner/financial institution informs the W-2 agency that the right to proceed with eviction/foreclosure will be waived.

Notes:

Payment Delay Exception One

EA Manual Reference: 5.4.1

The W-2 agency **must** issue the Notice of Decision within 5 working days after the receipt of the complete EA Application, even in the case of a Payment Delay Exception.

Information regarding the rationale and decision making related to Payment Delay Exceptions **must** be recorded in EATS comments.

If there is a payment delay, the agency worker **must** enter the Approved status in EATS; then if the applicant does not find housing, the Approved status **must** be changed to Denied. There are two exceptions to the 5 working days requirement for issuing EA payments.

1) For homelessness or impending homelessness with relocation to a new home, if the EA Group is found eligible for EA, but does not have a new permanent residence at the time of application.

In this circumstance, the agency **must** issue a payment within 5 working days of the date the EA Group notifies the W-2 agency that permanent housing has been obtained.

Example: Joseph and Naomi have two children (ages 2 and 5). Four months ago, Joseph worked at a meat packaging company until he had a car accident that permanently injured his right arm and hand. He no longer could do his job, so he was released from his company. They have not paid their rent for two months and received an eviction notice. Last week, Naomi applied for W-2 and EA, and they have been found eligible for both programs. Their property owner will not waive the right to proceed with the eviction. Therefore, Joseph and Naomi are looking for a new home, but have not found one yet.

Notes:

Payment Delay Exception One: Notice Process

EA Manual Reference: 1.5.2

If the EA Application is approved and a Payment Delay Exception applies but the EA applicant has not found new housing at the time of application, the *Positive* Notice **must** inform the EA applicant that:


1. The approved EA Application is valid for 30 calendar days from the date of application is received at the agency and date stamped;
2. The applicant **must** notify the W-2 agency when s/he has found new permanent housing;
3. If the EA applicant is unable to find new permanent housing within this timeframe, s/he may request an extension of the timeframe to search for housing; and
4. If the EA applicant is unable to find new permanent housing, s/he may reapply.

The W-2 agency **must** extend this timeframe if within these 30 days, one of the following occurs:

1. The EA applicant notifies the W-2 agency that permanent housing has not been obtained; or
2. The EA applicant requests an additional 30 days to search for housing.

The W-2 agency **must** issue a Negative Notice to EA applicants who were approved, but did not find housing within 30 calendar days of the application date or during the 30-day extension period. This notice **must** inform the applicant that:

1. The EA Application is being denied because the EA applicant did not notify the W-2 agency that he or she had obtained housing; and
2. The EA applicant can reapply for EA.

 **Reminder:** If the applicant does not find housing, the EA Application status in EATS **must** be changed from Approved to Denied (EA Manual 7.1).

Notes:

Payment Delay Exception Two

2) For impending homeless, the EA group plans to remain in their current housing, but the W-2 agency has not yet received confirmation from the landlord, bank or local government agreeing to waive any right to proceed with an eviction or foreclosure based on the notice served.

In this circumstance, the W-2 agency **must** issue the EA payment within 5 working days after receiving confirmation from the property owner, bank or local government agreeing to waive any right to proceed with the eviction/foreclosure for non-payment in exchange for the EA payment. The W-2 agency may receive the confirmation verbally and/or in writing. The W-2 agency **must** issue the payment within 5 working days from the date of the first confirmation, whether verbal or written.

Example: Anna applied for EA because she received a notice from the bank that her home is being foreclosed. She is three months behind in her mortgage. Her hours were reduced at work. She was approved for EA. She is still waiting to hear from the bank whether they will accept her payment and negotiate a payment plan; otherwise, she may have to find a new place to live. If the bank proceeds with the foreclosure, Anna may use her EA to find a new place to live.

Notes:

Payment Delay Exceptions: Notice Process Example

Example: Benny and his 6-year-old daughter Lily are living in a homeless shelter. He applied for EA on February 2nd, which is also the date the agency received the complete EA Application. His application was approved on February 6th. However, he has not found a place yet and he is waiting for his housing assistance application to be processed. Because his EA Application was approved, but he has not found new housing, this would meet the definition for a Payment Delay Exception. The agency issued a positive Notice of Decision on February 6th with the Payment Delay Exception information.

The EA Application would be valid until March 3rd (30 calendar days from date of the complete application was received at the agency and date stamped). Because March 3rd falls on a Saturday, the EA Application would be valid until the close of business day on Monday, March 5th. Benny contacted the agency on Wednesday, February 29th that he has not been approved for housing assistance yet and is still looking for a place to live. The agency worker extended his application for another 30 calendar days, which would be until Monday, April 2nd.

On Wednesday, March 28th, Benny notified the agency worker that he has secured an apartment for Lily and him. The EA payment **must** be issued by April 4th (within 5 working days of his notification). The payment was issued on April 4th to the new apartment manager. The W-2 Case Manager entered the payment details into EATS the next day.

Notes:

EA Application Process Five Working Days Summary



The W-2 agency **must** complete the following requirements **within 5 working days** after the date the W-2 agency receives the complete EA Application. Working day 1 starts the first working day after the complete application is received, and working day 5 is at the close of business on the 5th working day:

- ✓ Process the EA Application.
- ✓ Have at least one in-person contact with the EA applicant or his/her representative.
- ✓ Request and complete all necessary information/verification.
- ✓ Determine non-financial and financial eligibility.
- ✓ In the case of a court ordered eviction notice, ask the EA applicant to inform the court of the EA Application and the outcome of the EA eligibility determination to stay the eviction proceedings in impending homelessness.
- ✓ For EA applicants that will remain in their current housing, obtain verification from the property owner, bank or local government agreeing to waive any right to proceed with the eviction/foreclosure for non-payment in exchange for the EA payment (for eviction/foreclosure in impending homelessness).
- ✓ Prior to determining EA eligibility for energy crisis, assist the group in completing the pursuit of other payment options for utility expenses.
- ✓ Enter a confirmed status reason in EATS. Appropriate case comments **must** be entered in EATS.
- ✓ Issue a Notice of Decision to all (Approved and Denied) applicants. Include additional information on the notice if there is a Payment Delay Exception.
- ✓ Determine and issue any EA payment.



The EA Application, Notice(s) and verification **must** be scanned into ECF, if the EA applicant is known to CARES, or stored in a paper file within 30 calendar days (EA Manual 7.2 and W-2 Manual 4.4.2).

Fact Finding

EA Manual Reference: 6.1

EA applicants have the right to pursue the Fact Finding process as a means of dispute resolution. A Fact Finding may be requested:

- If the agency does not act upon the EA Application with reasonable promptness,
- If the EA Application amount is not funded in part or in whole, or
- If the applicant believes that, the EA payment amount was calculated incorrectly.

The Fact Finding request **must** be made in writing to the W-2 agency within 45 days of the disputed decision.

Overpayment Recoupment

EA Manual Reference: 8.1

An EA overpayment may occur due to a variety of circumstances, including when incorrect information is provided by an EA applicant and/or property owner.

Agencies cannot recoup EA overpayments from other program payments because this is not specifically authorized by state law.

Although agencies cannot recover EA overpayments from other program payments, agencies may elect to recover EA overpayments on a voluntary basis. To do this, the agency would send a letter(s) to the appropriate person(s) to request recovery of an EA overpayment. The agency may select applicable language from other programs' letters/forms to insert in the EA overpayment letter. The agency **must** customize the letter to the specific EA overpayment situation.

Appendix

Emergency Assistance Application Scenario

Jake and Lynn Dumont, and their two sons, Alex (age 6) and Luke (age 3), are living with Jake's best friend Marco and his wife, Isabel. Marco and Isabel have 4 children and live in a 4-bedroom house. They have stayed with Marco and Isabel for three weeks because the local shelter was full. They have found a new potential apartment to live in at ABC Apts. Jake hours were cut at work and he is only working 20 hours/week. Jake is paid weekly and makes \$11.00 an hour at One Warehouse. Lynn was laid off and is collecting Unemployment benefits. She receives \$128.00 a week. Jake and Lynn are applying for EA to help pay for security deposit (\$580) and the first month's rent (\$580), for a total of \$1160. They have \$200.00 in their savings account and \$565.00 in their checking account. Lynn has a 2005 Cadillac CTS, valued at \$7,750.00, and a motorcycle, valued at \$950.00. They are trying to make ends meet with buying food, clothes and gas.

1. Read and review the EA Scenario and Application.
2. Discuss Non-Financial and Financial Eligibility Criteria for EA.
3. Part 1 of the EA Application has been completed already.
Complete Part 2 of the EA Application.
4. Is the group eligible for EA, and if found eligible, what is the payment amount?
5. Complete the EA Application Processing Step One and Step Two on the following pages. Space provided is for writing notes for each step.



Notes:



Five Working Days Timeframe for Processing EA: Step One

- Have at least one person in contact w/ the EA applicant and review the EA Application and the assurance statements on Part 1, Page 3 of the EA Application.
-

- Determine Non-Financial Eligibility.
-

- Determine Financial Eligibility and complete Part 2, Page 1 of the EA Application.
-

- Request and complete all necessary information and verification.
- EA Group
 - EA 12 Month Time Limit checked in EATS
 - Qualifying Emergency
 - Financial Eligibility
 - Energy Crisis/Financial Crisis
-

- For Energy Crisis Only: Assist the EA Group in completing the pursuit of other payment options for utility expense.
-

- Determine if a Payment Delay Exception applies for impending homelessness or homelessness.
-

Eligibility Determination: Issue the Notice of Decision for all approved/denied applications.

If Payment Delay Exception applies, Notice of Decision **must** include information about the Payment Delay Exception. Valid for 30 calendar days from the date of the application.

The EA payment **must** be issued within 5 working days of the notification by the EA applicant of new housing found.

If the EA applicant has been in contact with the agency and still is unable to find housing, the application may be extended for another 30 calendar days.

OR

If the EA applicant has made no contact after 30 calendar days of the EA Application date regarding his/her attempts to find housing, the EA Application will lapse. A negative notice **must** be issued and an EATS Denial Entry **must** be entered.

Enter EATS entry and appropriate case comments of the EA Application into EATS (1,000 Characters Space Limit). All necessary paperwork/verification including EA application and Notice of Decision(s) are scanned into ECF (if known to CARES within 30 calendar days) or stored in paper file. Case comments in CARES/CWW are optional.

- For all Approved EA Applications: Step Two **must** be completed within the same five working days timeframe.
-



Five Working Days Timeframe for Processing EA: Step Two

- Impending Homelessness due to eviction/foreclosure only:*** Obtain confirmation from property owner, bank or local government agreeing to waive the right to proceed with the eviction/foreclosure in exchange for the EA payment.
-

- For those moving to a new residence,*** prior to issuing the payment, the W-2 agency **must** obtain verification regarding the new residence.
-

- Determine the payment amount*** by completing Part 2, Page 2 of the EA Application.
-

- Issue the EA Payment*** and enter documentation of the payment into EATS.
-

EA Policy and Process Quiz

If time permits, complete the Emergency Assistance Questions Review with the class.

1. The W-2 agency **must** process an EA Application within _____ after the agency receives the signed EA Application.
 - a) 10 working days
 - b) 2 working days
 - c) 5 working days
 - d) 7 working days

2. If the EA applicant has already initialed the assurance statements on the EA Application, before meeting the EA worker, the EA worker is not required to review them.
 - a) True
 - b) False, the EA worker must review the assurance statements, and the applicant should initial each statement again.

3. To meet the definition of a Caretaker Relative, s/he must:
 - a) Have custody of the dependent child
 - b) Live or lived with the dependent child at sometime within six months prior to the emergency- and anticipated to live with the caretaker relative during the one-month period after the date of the application.
 - c) Anticipated to live with the caretaker relative during the six-month period after the date of the application
 - d) Anticipated to live with caretaker relative during the three-month period after the date of the application

4. A single pregnant individual who has no other dependent children has applied for EA. Does she meet the definition of a caretaker relative?
 - a) Yes
 - b) No; however, case management services should be offered (W-2 CMP).

5. The W-2 agency cannot make the determination that a dwelling is uninhabitable.
 - a) True, W-2 agencies obtain this from the housing inspector, health and safety inspector, etc.
 - b) False

6. An 18 year old may be considered a dependent child if:
 - a) S/he is a full-time student at a secondary school, technical school, or vocation school and is reasonably expected to graduate before turning age 19.

- b) S/he is a part-time student in a GED program and is expected to complete the program before turning age 19.
 - c) S/he is a full-time student enrolled in a four-year university and working part time.
 - d) S/he is a part-time student enrolled in a technical/vocational program and is expected to complete the program before turning age 19.
7. For EA eligibility purposes, a migrant worker must intend to reside in Wisconsin.
- a) True
 - b) False; same as W-2 policy
8. There are ____ categories of a qualifying emergency for EA eligibility.
- a) 4 –1) Impending homelessness, 2) Homelessness, 3) Energy crisis, 4) Fire, flood and natural disaster; add that fire, flood and natural disaster has been combined as one category.
 - b) 5
 - c) 6
 - d) 7
9. The Notice to Terminate Tenancy for impending homelessness (according to State Statute 704.17) must:
- a) Include eviction date
 - b) Indicate “Tenancy is terminated” and eviction is due to nonpayment of rent
 - c) Be filed with the court
 - d) Be a legal document
10. EA can only be used to pay for temporary shelter in emergencies due to:
- a) Energy Crisis
 - b) Impending homelessness
 - c) Fire, flood or natural disaster
 - d) Homelessness
11. SSI and CTS payments are counted types of income for EA Applications.
- a) True
 - b) False
12. To be found financially eligible for EA, the EA group must meet the following criteria:
- a) At or below 115% FPL
 - b) At or below 185% FPL
 - c) Not exceed assets limits of \$2500
 - d) A and C

13. The EA Application may be denied for failure to pursue other payment for Energy Crisis.
- a) True, but the W-2 agency must assist them in pursuing other payment options if they haven't done so already.
 - b) False
14. After an EA payment is issued, how many days does the W-2 agency have to enter the payment details into EATS?
- a) 5 calendar days
 - b) 10 calendar days
 - c) 3 calendar days
 - d) 7 calendar days
15. The EA worker must complete the following within 5 working days:
- a) Have at least one in-person contact with the EA applicant
 - b) Enter payment details into EATS
 - c) Scan EA application and verification into ECF if known to CARES
 - d) Enter case comments into CARES
16. The EA Payment must be issued within _____ after the receipt of the completed EA Application unless there is a payment delay exception.
- a) 2 working days
 - b) 5 working days
 - c) 7 working days
 - d) 10 working days
17. W-2 agencies must scan the EA Application and verification (if known to CARES) or stored in paper files within 30 calendar days.
- a) True, new policy
 - b) False
18. In a Payment Delay Exception, if the EA applicant has been found eligible, but has not found new permanent housing, the agency must issue a negative notice of eligibility.
- a) True
 - b) False, the agency must issue a positive notice with the correct information as outlined in the EA policy.
19. Offering case management services to EA applicants can result in families:
- a) Receiving information on local resources and Supportive Services
 - b) Learning budgeting skills and developing problem solving
 - c) Recognizing the strengths within their family
 - d) All of the above

Helpful Websites

Wisconsin Resources

1. The Emergency Assistance Tracking Systems (EATS) is the internet-based tracking system for EA that is used by W-2 agencies.
Website: <https://eats.wisconsin.gov/>
2. EA Application is in the DCF Forms Repository.
Website: <https://dcf.wisconsin.gov/forms>
You can search by Form Title, type in Emergency Assistance; or search by using the EA form numbers.
3. The Partner Training Section, Learning Center website provides training information for Emergency Assistance and EATS.
Website: <https://wss.ccdet.uwosh.edu/stc/DCF>
4. The WI Department of Administration's Website lists housing resources in your local area. The Division of Housing helps to expand local affordable housing and support services to people without housing.
Website: <http://housing.wi.gov> .
5. The WI Front Door is a community service guide by the WI Department of Administration that provides detailed information about each participating provider, volunteer needs, wish lists, maps and more. The community guide helps to match your needs to agencies that can provide them throughout the state of WI.
Website: <http://www.wisconsinjobcenter.org/asset/archive/2005-01a.pdf>
6. The Tenant Resource Center is a non-profit membership organization with a small staff that relies primarily on volunteers to provide housing counseling, mediation services and office assistance.
Website: www.tenantresourcecenter.org
Phone number, Rental Rights 1-877-238-RENT (7368).
7. The American Red Cross is a humanitarian organization led by volunteers and guided by its Congressional Charter and the Fundamental Principles of the International Red Cross Movement. It provides relief to victims of disasters and helps people prepare for and respond to emergencies.
Website: <http://www.redcross.org/local/wisconsin>
8. The Salvation Army is an international faith organization that offers housing assistance programs in many communities in Wisconsin.
Website: <http://www.usc.salvationarmy.org>

9. Wisconsin Balance of State Continuum of Care is an organization of homeless service providers. Their mission is to end homelessness in Wisconsin. This website provides information on their collaboration and best practices for serving people who are experiencing homelessness.
Website: <http://www.boscoc.org/>

National Resources

1. The National Coalition for the Homeless is a national network of people who are currently experiencing or who have experienced homelessness, activists and advocates, community-based and faith-based providers, and others committed to a single mission. That mission is to end homelessness.
Website: <http://www.nationalhomeless.org>
2. The National Alliance to End Homelessness is a nonprofit, non-partisan, organization committed to preventing and ending homelessness in the United States.
Website: <http://www.endhomelessness.org/>
3. U.S. Department of Housing and Urban Development's goal is to increase home ownership, support community development and increase access to affordable housing free from discrimination.
Website: <http://portal.hud.gov/portal/page/portal/HUD/topics/homelessness>
4. The Almanac of Policy Issues is a website that has background information, archived documents, and links to major U.S. public policy issues.
Website: www.policyalmanac.org
5. Habitat for Humanity International was founded in 1976 by Millard and Linda Fuller. Habitat for Humanity is a true world leader in addressing the issues of poverty and housing.
Website: www.habitat.org
6. The Shelter Listing is a website to help find local homeless shelters.
Website: <http://www.shelterlistings.org/state/wisconsin.html>
7. The Homeless Shelter Directory is a directory of homeless shelters (volunteer website).
Website: <http://www.homelessshelterdirectory.org/wisconsin.html>