



# Emergency Assistance Manual

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Release 26-01

# EA Manual Version 26-01 Updates

Operations Memo /Cover Sheet	Update Description	Updated Sections	Date Effective
Cover Sheet 26-01	The Emergency Assistance manual was migrated out of Robohelp 2015 and into the newer Robohelp 2022 platform to improve functionality and align with DCF's online footprint. There are no content, organizational, or policy changes accompanying this update.	Entire Manual	April 20, 2026
Cover Sheet 26-01	Listed sections were updated to improve formatting, organization, and readability of program information. There are no policy or procedural changes accompanying this update.	Entire Manual	April 20, 2026
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# Welcome

Welcome to the Emergency Assistance Manual. This manual contains policies and procedures used by W-2 agency workers who determine eligibility and provide case management services.

The content within this manual is the sole responsibility of the State of Wisconsin's Department of Children and Families (DCF). This site will link to sites outside of DCF where appropriate. DCF is in no way responsible for the content of sites outside of DCF.

Note: Prior to the publication of this manual, the Emergency Assistance policy was located in Chapter 17 of the W-2 Manual.

[View W-2 Manual Chapter 17 \(Release 12-04 effective June 1, 2012\)](#)

To sign up for emails notifying you of a new Emergency Assistance Manual release, go to the Bureau of Working Families Information and Updates webpage.

# 01 Emergency Assistance Overview and Application

## 1.1 Emergency Assistance Overview

### 1.1.1 Emergency Assistance Overview

Emergency Assistance (EA) is a **TANF**-funded housing and emergency resource program in Wisconsin. The program provides a payment to eligible families who are experiencing an emergency due to:

- Fire;
- Flood;
- Natural disaster;
- Impending homelessness;
- Homelessness; or
- Energy crisis.

Statutory provisions for Emergency Assistance are included in Wisconsin Statutes under Chapter 49, Public Assistance and Children and Family Services. **EA Administrative Rules** are found in DCF 120 of the Wisconsin Administrative Rules.

Contact and location information for each agency that administers EA is available on the Wisconsin Works (W-2) Agency Locator website.

*History: Release 26-01; Release 21-01.*

## 1.2 Emergency Assistance Application Process

### 1.2.1 Where to Apply for Emergency Assistance

The **W-2** agency must provide an opportunity to complete an Emergency Assistance (EA) application to anyone who requests **EA**. Individuals can request EA by contacting a W-2 agency or by applying directly in the **ACCESSweb portal**.

If EA is requested in person or over the phone, the W-2 agency must provide applicants the opportunity to complete and sign the EA application on the same day as the request or inquiry. (See 1.2.2.1)

Applicants must apply with the W-2 agency that serves the geographical area in which they reside.

The following exceptions apply:

- An applicant who resides in an area served by a W-2 agency that serves more than one geographical area may apply at any of that agency's W-2 offices, even if the office is located outside of the applicant's geographical area;
- An applicant that is homeless may apply wherever they reside at the time of application;
- An applicant that is moving to a residence in another geographical area may apply in that geographical area; and
- An applicant that has experienced domestic abuse may apply at any W-2 agency.

*History: Release 26-01; Release 21-04.*

# 1.2.2 Completing the Emergency Assistance Application

## 1.2.2.1 Applicant Signatures

Individuals can submit a completed *EA* application to the *W-2* agency using one of the following:

- The ACCESSweb portal; or
- The Emergency Assistance Application form (DCF-F-DWSP2010-E).

For applications received using Form DCF-F-DWSP2010-E, the W-2 agency must date stamp the completed EA application on the date it is received by the agency. This date is used as the application date, even if the applicant signed the application on a different day.

For applications received via ACCESS, the application date is determined in ACCESS based on the time and date of application submittal.

An EA application is considered complete when it has all of the following:

- A legible name;
- An address, if available;
- A reason for the emergency;
- A signature by the applicant or their representative (see 1.2.2.1); and
- Been completed to the best of the applicant's ability.

An EA worker must complete any missing information on the EA application with information provided by the applicant. Any information added or updated by the W-2 agency must be clearly explained in EA comments in *WWP*.

If Form DCF-F-DWSP2010-E is submitted, the W-2 agency must scan and store all pages of the application in *ECF* or place a copy in the paper file. (See 4.4.3)

## 1.2.2.1 Applicant Signatures

A valid signature from the applicant or their representative is required for an application to be considered complete. (See 1.2.2)

The EA worker must review each of the assurance statements from Form DCF-F-DWSP2010-E with all applicants during the required meeting (see 1.3.3), regardless of how they sign the application. This ensures that the applicant has an opportunity to ask for clarification of each item prior to signing.

W-2 agencies must provide all applicants the option to choose one of the following signature methods:

- Written signature: The applicant physically signs Form DCF-F-DWSP2010-E.
- Electronic signature: The applicant electronically signs Form DCF-F-DWSP2010-E via an electronic signature software.
- Telephonic signature: The applicant telephonically signs Form DCF-F-DWSP2010-E during a recorded call.
  - EA workers must read aloud the EA application to record the agreement being made between the EA worker and the applicant. Additionally, the EA worker must read aloud the language that is in the telephonic signature display in Genesys. The Telephonic Signature Interaction ID generated in Genesys must be documented on the signature line and in EA comments in WWP.
- ACCESS signature: The applicant signs the application in ACCESS to submit a completed EA application.

History: Release 26-01; Release 23-01; Release 22-04; Release 21-04; Release 21-03; Release 21-01;  
Release 20-01.

## 1.2.3 Reasonable Accommodations for Applicants

*W-2* agencies must follow the Americans with Disabilities Act (ADA). Agency workers must offer and provide reasonable accommodations to applicants who disclose a disability.

Examples of reasonable accommodations may include:

- Reading materials aloud;
- Providing materials in different formats; or
- Going to the individual's home or other mutually agreeable location to complete the Emergency Assistance (EA) application in person.

For more examples of accommodations, see the Job Accommodation Network (JAN) [online resource](#).

All EA workers must be familiar with current civil rights standards for service delivery and resources available to ensure the *EA* program is accessible to all applicants. (See the DCF Civil Rights Compliance webpage)

*History: Release 26-01.*

## 1.2.4 Stay of Eviction Proceedings

If an applicant is facing an eviction that has been filed with the court, and a writ of restitution has not been issued in the court proceedings, state law requires the court to stay (postpone) the eviction if the individual applies for *EA*.

Agencies must inform applicants in this situation that:

1. The eviction will be stayed by the court if the individual applies for EA and requests the court stay the eviction;
2. The stay will remain in effect until the individual's eligibility for EA is determined and, if the individual is determined to be eligible for EA, until the payment is received by or on behalf of the EA Group (up to 10 working days); and
3. The process is not required for EA eligibility.

If the individual chooses to request a stay of eviction, the *W-2* agency must complete the following additional steps after the individual submits the EA application:

1. Provide the applicant with a copy of the EA application, with a date stamp if Form DCF-F-DWSP2010-E is used.
2. Inform the applicant that they will be notified in writing of the EA eligibility decision.
3. Provide the applicant with copies of:
  - Wisconsin Circuit Court Form SC-5500VA (Petition for Stay of Eviction Based on Defendant's Application for Emergency Assistance); and
  - Wisconsin Circuit Court Form SC-5510VA (Statement on Eligibility to Receive or Receipt of Emergency Assistance).
4. Instruct the applicant how to file Wisconsin Circuit Court Form SC5500 with the court.
5. Instruct the applicant how they must inform the court of the eligibility decision by submitting Wisconsin Circuit Court Form SC-5510 along with a copy of the eligibility notice.
6. Document in EA comments in *WWP* how they assisted the applicant with this process, along with any relevant information regarding the stay of eviction process.

*History: Release 26-01; Release 21-01.*

## 1.3 Application Processing

### 1.3.1 Application Processing Timeframe

The **W-2** agency must process the **EA** application within 10 working days of the application date. This includes all of the following:

1. Determining Eligibility (see 1.3.2);
2. Entering all EA applications in **WWP** (see 4.4.2);
3. Issuing an Eligibility Notice of Decision (see 1.3.4); and
4. Issuing Payments (see 1.3.5).

The application date is used to determine the 10 working days timeframe. (See 1.2.2) Day one is the first working day after the application date. Day 10 ends at the close of business on the 10th working day after the application date.

EA applicants are often dealing with time-sensitive emergencies; therefore, W-2 agencies must make an eligibility decision as quickly as the situation allows. The full 10 working days must only be used in scenarios where the applicant requires additional time to obtain verification or other information necessary to process the application. EA comments in **WWP** must document rationale for using the full timeframe.

**EXAMPLE 1:** Inez completed an EA application using Form DCF-F-DWSP2010-E and submitted to the W-2 agency office with a date stamp of Tuesday, May 29. The W-2 agency used the date of the agency date stamp (May 29) as the application date in **WWP** to begin the 10 working days timeframe for processing the EA application; therefore, Tuesday, June 12, is day 10.

**EXAMPLE 2:** Jonathan applied in **ACCESS** the morning of Wednesday, February 23. **ACCESS** processes the application with an application date of that day. Jonathan also scheduled a phone appointment in **ACCESS** for the following day (February 24, day 1) to continue with the application process when he can take the call in private. The EA worker has until Wednesday, March 9, to process the EA application in the 10 working days timeframe.

**EXAMPLE 3:** María Belén submitted an **ACCESS** application with an application date of Thursday, May 2. She met with her worker on Friday, May 3, and was given the list of documents required to complete her application. María Belén was able to obtain the required documents over the weekend and the worker received them Monday, May 6. The worker approved María Belén's application that day and the EA payment was mailed the following day, Tuesday, May 7. While the agency has until Friday, May 17, per policy to process the application, they were able to process in fewer days since María Belén was able to submit her documentation quickly.

*History: Release 26-01; Release 24-03; Release 23-01; Release 22-04; Release 21-01; Release 20-01.*

## 1.3.2 Determining Eligibility

Eligibility determination is the first step in processing the *EA* application. Within the 10 working days timeframe, the *W-2* agency must complete all of the following:

- Have at least one meeting with the applicant or their representative, scheduled to occur during the first five working days of the 10 working days timeframe (see 1.3.3);
- Determine nonfinancial eligibility (see Chapter 2);
- Determine financial eligibility (see Chapter 3); and
- Request and process all necessary information and verification (see Chapter 4).

*History: Release 26-01; Release 24-03; Release 23-01; Release 22-04.*

## 1.3.3 Meeting with the Applicant

**EA** workers must meet with each applicant at least once prior to making an eligibility decision. The meeting must be scheduled to take place during the first five working days of the 10 working days eligibility timeframe, unless the applicant requires a later date due to their availability. Rationale must be documented in EA comments in WWP for any initial meetings scheduled after day five.

Before submitting an EA application in ACCESS, applicants are given the option to select from available phone appointment times to meet with an EA worker. Agencies must maintain client scheduling availability in **CWW** for at least five working days into the future. The number of appointments available must be consistent with the average number of ACCESS applications.

If an ACCESS applicant does not schedule an appointment in ACCESS, agencies must contact the applicant within one working day of the application date to continue the application process.

In the event an applicant misses their scheduled appointment, agencies must contact the applicant. Contact attempts and methods must be:

- Varied (phone calls, e-mail, text message, etc.) over several days, and
- Clearly documented and detailed specifically in EA comments in **WWP**.

**W-2** agencies must provide the option to meet in whichever acceptable meeting format the applicant prefers. The required meeting can be in any one of the following formats:

- In-person: The applicant meets physically in person with an EA worker.
- Video call: The applicant and EA worker use a video platform to meet where each person can see and hear one another.
- Telephonically: The applicant and EA worker use a telephone to meet.

EA workers must document in EA comments in WWP which meeting format the applicant chose.

*History: Release 26-01; Release 24-03; Release 21-03.*

## 1.3.4 Issuing an Eligibility Notice of Decision

Once eligibility has been determined, the *W-2* agency must issue a notice of decision regarding eligibility to all applicants as quickly as the situation allows within the 10 working days timeframe. This includes scenarios when a Payment Delay is required, or an applicant chooses to withdraw their application.

*WWP* will automatically generate and send notices at the close of business on the day the status is updated in *WWP*. The notice type generated and sent to the applicant depends on the status selected. If there is a status change, a new notice will generate and send to the applicant. Multiple status changes on the same day will only result in one notice according to the application status at close of business.

Notices are sent to the applicant's mailing address in *WWP*. *EA* workers must discuss with the applicant to determine the appropriate mailing address.

A copy of each notice will automatically be saved in *CWW* correspondence history.

*History: Release 26-01; Release 24-03; Release 21-03.*

## 1.3.5 Issuing Payments

The final step in processing the *EA* application is issuing the payment. The W-2 agency must complete this step within 10 working days of the EA application date, unless a Payment Delay applies (see 5.4.2 and 5.4.3).

As with eligibility decisions, W-2 agencies must issue payments as quickly as the situation allows, (see 1.3.1) and only use the full 10 working days timeframe when an eligibility decision occurs late in the timeframe.

EA comments in WWP must document eligibility decisions and timeframe rationale.

See Chapter 5 for information on determining payment amount and guidelines for issuing payments.

History: Release 26-01; Release 24-03.

## 1.4 Referral and Case Management

# 1.4.1 Referral and Case Management

### 1.4.1.1 Referrals

### 1.4.1.2 Case Management

The **W-2** agency must evaluate the immediate and long-term needs of applicants and:

- Provide information regarding all local housing and emergency financial resources; and
- Make appropriate referrals to assist the applicant in meeting immediate and long-term needs. (See 1.4.1.1)

In addition, the W-2 agency is encouraged to provide appropriate case management services to the applicant. (See 1.4.1.2)

The W-2 agency must document in **EA** comments in **WWP** the resources and referrals provided.

### 1.4.1.1 Referrals

W-2 agencies may provide referrals at any time during the application process, including during a Payment Delay.

Potential referrals include but are not limited to:

- W-2 family stabilization payments for W-2 participants awaiting a first W-2 payment (see W-2 Manual 9.3);
- Wisconsin Home Energy Assistance Program (WHEAP);
- Counseling;
- Securing family shelter funded through other assistance programs;
- General housing resources;
- Financial education classes;
- Domestic violence resources;
- Wisconsin Shares child care; and
- Other resources such as FoodShare, Medicaid/BadgerCare, W-2, and other local services.

EXAMPLE: Traci and her two children received EA in August for impending homelessness. Traci reapplied for EA the following year in April after her home was damaged by local flooding. Traci is not eligible for EA because she received EA within the last 12 months. The W-2 agency referred Traci to the county emergency

management agency for information about assistance available to properties impacted by flooding.

### 1.4.1.2 Case Management

Case management activities can be used to help the EA Group avoid eviction or foreclosure, secure housing, and/or provide the EA Group with resources to resolve the emergency situation. Examples of when these services are particularly important for applicants include those who:

- Apply for EA year after year;
- Have difficulty finding housing; or
- Are found ineligible for EA.

EXAMPLE: Elaine is unemployed and has a 2-year-old daughter, Bria. Elaine has been living with her sister in a small apartment for the past two months, but her sister's boyfriend is now insisting that Elaine and Bria move out. Elaine left Bria's father following repeated episodes of domestic violence. Due to of the disruption their relationship repeatedly created in her past rental complex, Elaine cannot get a positive landlord reference and is struggling to find housing of her own. The EA worker informed Elaine of the local Landlord/Tenant Mediation Program which is dedicated to promoting positive relations between tenants and landlords throughout the state. The program provides housing information and referrals, education about rental rights and responsibilities, and access to conflict resolution. The EA worker also shared the BWF Domestic Violence Brochure, *Facing Domestic Violence – How W-2 Can Help You* (DCF-P-2614), so that Elaine can decide if it is safe to keep.

History: Release 26-01; Release 25-01; Release 22-06; *Release 22-05*; *Release 21-01*.

# 02 Nonfinancial Eligibility

## 2.1 Nonfinancial Eligibility Overview

### 2.1.1 Nonfinancial Eligibility Overview

In order to be eligible for Emergency Assistance (EA), the EA Group must meet all of the following nonfinancial eligibility criteria.

- The applicant is a Caretaker Relative of at least one Dependent Child. (See 2.4.2 and 2.4.3)
- All EA Group members are U.S. citizens or qualified non-citizens. (See 2.2.1)
- All EA Group members apply for or provide an *SSN*, unless exempt. (See 2.3.1)
- All EA Group members are residents of Wisconsin and intend to reside in Wisconsin (Note: Migrant workers are not required to intend to reside in Wisconsin).
- The applicant has not received an *EA* payment in the 12 months prior to the EA application. (See 2.5.1)
- The EA Group's need resulted from an emergency due to one of the following:
  - Fire, flood, natural disaster (see 2.6.2);
  - Homelessness (see 2.6.3);
  - Impending homelessness (see 2.6.4); or
  - Energy crisis (see 2.6.5).
- The emergency did not result from the applicant's refusal without good cause to accept employment or training for employment.

See Chapter 4 for information about verifying nonfinancial eligibility.

History: Release 26-01; Release 21-01.

## 2.2 U.S Citizenship or Qualified Non-Citizen Status

### 2.2.1 Qualified Non-Citizen

Every individual in an **EA** Group must verify their U.S. citizenship or qualified non-citizen status. Over time, many non-citizens acquire citizenship. Therefore, the worker should review non-citizen status at each application, while citizenship only needs to be verified once.

The following qualified non-citizens may be eligible for EA:

1. An alien lawfully admitted to the United States for permanent residence under the Immigration and Nationality Act (INA);
2. An alien who is granted asylum under section 208 of the Immigration and Nationality Act;
3. A refugee who is admitted to the United States under section 207 of the Immigration and Nationality Act, including Special Visa Immigrants from Iraq and Afghanistan under section 1059 of H.R. 1815;
4. An alien who has been certified as a victim of trafficking;
5. An alien who is paroled into the United States under section 212(d)(5) of the Immigration and Nationality Act for a period of at least one year;
6. An alien whose deportation is being withheld under section 243(h) or 241(b)(3) of the Immigration and Nationality Act;
7. Cuban and Haitian aliens, as defined in section 501(e) of the Refugee Education Assistance Act of 1980;
8. An American Indian born in Canada who is at least 50% American Indian by blood, or an American Indian born outside of the United States who is a member of a federally recognized Indian tribe;
9. An alien who has been battered or whose child has been battered, who is no longer residing in the same household with the batterer, and who meets the requirements of 8 U.S.C. s. 1641(c);
10. An alien who is granted conditional entry pursuant to section 203(a)(7) of the Immigration and Nationality Act as in effect prior to April 1, 1980;
11. Amerasian Immigrants, as defined in section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1988;
12. An alien who is lawfully residing and is one of the following:
  - a. An armed forces veteran who received an honorable discharge that was not on account of alienage and who completed either 24 months of continuous active duty or the full period for which the individual was called, unless the individual received a hardship discharge under 10 U.S.C. s. 1173, early discharge under 10 U.S.C. s. 1171, or a discharge due to a disability incurred or aggravated in the line of duty.

- b. On active duty in the armed forces of the United States, other than active duty for training.
  - c. The spouse of an individual described in subdivision a. or b., or the unremarried surviving spouse of an individual described in subdivision a. or b. if the marriage was for one year or more or the individual had a child in common.
13. An alien who is lawfully residing in the United States and authorized to work by United States Citizenship and Immigration Services (USCIS).

*History: Release 26-01.*

## 2.3 Social Security Numbers

### 2.3.1 Providing Social Security Numbers

Every individual in an *EA* Group must provide a Social Security Number (SSN) or provide proof of having applied for an *SSN* within the past six months, unless the individual is initially exempt.

An individual is initially exempt if they:

1. Do not have an SSN;
2. Do not have a work authorization; and
3. Are a member of one of the following qualified non-citizen groups:
  - Cuban/Haitian entrants, as defined in section 501(e) of the Refugee Education Assistance Act of 1980; or
  - Certified, foreign-born victims of trafficking; or
  - Parolees (aliens paroled into the U.S. for at least one year under section 212(d) (5) of the Immigration and Nationality Act (INA));
  - Certain battered aliens who meet the requirements of 8 U.S.C. s. 1641(c); or
  - Any qualified non-citizen (see W-2 Manual 2.4.2) who cannot apply for an SSN until their immigration status paperwork has been revised. See 4.2.2 for suggested sources of allowable verification.

If the EA worker determines that an individual in an EA Group who is not exempt has refused to provide or apply for an SSN, the entire EA Group is ineligible for EA.

*W-2* agencies must only use SSNs and personally identifiable information for the direct administration of the program. Each time an agency requests an SSN, the agency must inform the applicant all of the following:

Disclosure is mandatory for eligibility determination;

- How the agency will use the number; and
- Under what statutory or other authority the agency is requesting the number.

See below for an example statement:

*Provision of your SSN or cooperation in applying for an SSN is required to determine eligibility for Emergency Assistance (EA). The number you provide to the agency will be verified for program management. Wisconsin Statutes 49.82 (2)(a).*



## 2.4 Emergency Assistance Group

### 2.4.1 EA Group Overview

The **EA** Group must consist of at least:

- One dependent child (see 2.4.2); and
- One caretaker relative of that dependent child (see 2.4.3).

All members of the EA Group must be either a qualified caretaker relative or a dependent child.

The applicant should list all household members on the EA application; however, the **W-2** agency must:

1. Determine whether all individuals residing in the household are eligible members of the EA Group; and
2. Exclude any household member who does not meet all EA nonfinancial eligibility criteria.

**History:** Release 26-01; Release 21-01.

## 2.4.2 Dependent Child

An eligible dependent child must meet all of the following criteria:

- Is currently living with the Caretaker Relative(s) or lived with the caretaker relative(s) within six months prior to the emergency;
- Is anticipated to live with the caretaker relative(s) listed on the EA application in the month following the date of the EA application; and
- Is under the age of 18 or, if the individual is a full-time student at a secondary school or a vocational or technical equivalent and is reasonably expected to complete the program before turning age 19, is under the age of 19.

History: Release 26-01.

## 2.4.3 Caretaker Relative

Each caretaker relative in the **EA** Group must meet all of the following criteria:

- Be at least 18 years of age (unless the individual is a Minor Caretaker Relative; see 2.4.4).
- Be related to at least one dependent child in the EA Group in one of the following relationships:
  - Natural or adoptive parent;
  - Stepfather or stepmother;
  - Natural, legally adopted, half-, or step-brother or -sister;
  - Grandmother or grandfather, aunt or uncle, first cousin, niece or nephew, or any preceding generation denoted by the prefix grand-, great-grand, or great-great-grand-, including those through adoption; or
  - Legal spouse of any individual listed above even after the marriage is ended by death or divorce.
- Currently living with the dependent child(ren) or have lived with the dependent child(ren) within six months prior to the emergency.
- Anticipated to live with the dependent child(ren) in the month following the date of the EA application.
- Exercising care and control for the dependent child(ren). This includes making decisions about education, health care, and any treatment, hospitalization, and long-distance travel.

EXAMPLE 1: Linda's niece, Anna, lives with her full-time in Wisconsin and attends high school near Linda's home. Anna's mother lives in Michigan and signed a statement giving Linda "care and control" for Anna. There was no legal transfer of guardianship; however, Linda is authorized to make decisions regarding Anna's health care, education, and long-distance travel. Linda meets the definition of "caretaker relative".

EXAMPLE 2: Alice, her adult daughter, Jamie, and grandson, Larry, live together and share living expenses. While Jamie is working, Alice provides childcare for Larry. Even though Larry lives with Alice, and she provides childcare, Alice does not exercise "care and control" for Larry. Jamie makes all decisions regarding her son's health care, education, etc. Alice does not meet the definition of "caretaker relative" and must be excluded from the EA Group.

EXAMPLE 3: Miranda applied for EA due to impending homelessness. She listed herself, three friends, and her 3-year-old child on her EA application. The EA Group consists of Miranda and her child. The three other adults must not be included in the EA Group because

they are not relatives of Miranda's child and do not have caretaker responsibility for Miranda's child. Only Miranda's income and assets would be counted.

EXAMPLE 4: Carlos applied for EA due to an energy crisis. In the household, he listed himself, his two daughters Zoe and Raven, and his girlfriend Brianna. Brianna is not Zoe or Raven's mother. The EA Group consists of Carlos and his two daughters. Brianna must not be included in the EA Group because she is not married to Carlos or related to either child in the household.

History: *Release 26-01.*

## 2.4.4 Minor Caretaker Relatives

An individual under 18 years of age is not eligible to be a qualified caretaker relative unless one of the following applies:

- The individual is or has ever been married;
- The individual has no parent, legal guardian, or other appropriate adult relative who would meet applicable criteria to act as the individual's legal guardian who is living or whose whereabouts are known;
- No living parent, legal guardian, or other appropriate adult relative who would meet applicable criteria to act as the individual's legal guardian allows the individual to live in their home;
- The individual or the 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 individual's own parent or legal guardian;
- Substantial evidence exists that an act or failure to act would present imminent or serious harm if the individual and the child lived in the same residence with the individual's own parent or legal guardian; or
- The *W-2* agency otherwise determines that it is in the best interest of the individual's child to waive the prohibition on assistance to unmarried caretakers who are under 18 years of age.

History: *Release 26-01.*

## 2.5 Prior EA Payments

### 2.5.1 Eligibility Once in a 12-Month Period

Each Caretaker Relative in an EA Group is only eligible to receive *EA* once in a 12-month period. The 12-month period begins on the application date that resulted in an EA payment.

**EXAMPLE:** Billie and her family applied and were approved with an application date of March 12. She is potentially eligible as of March 12 the following year for another EA payment.

History: *Release 26-01.*

## 2.5.2 Children in Multiple EA Groups

Children may be included in more than one **EA** Group when they live with more than one Caretaker Relative(s) during a 12-month period.

When there is a new application for an EA Group that has a child in common with a previously approved EA Group within the last 12 months:

- The caretaker relative(s) of the EA Group (not the dependent child) is considered in determining the 12-month EA payment limit; and
- The W-2 agency must verify the residency of the adult(s) who has care and control of the child.

**EXAMPLE:** Daria and her two children, Khaliq and Maya, received an EA payment. A few months later, Khaliq moved in with his dad, Tony. Tony received an eviction notice and may be eligible for EA regardless of Khaliq being included in Daria's EA group the same year, as Tony has not received EA in the last 12 months.

*History: Release 26-01.*

## 2.5.3 Two Caretaker Relatives and Prior EA Payments

If an EA Group with more than one caretaker relatives receives an EA payment, neither caretaker relative is eligible for an EA payment for 12 months.

When a household includes one caretaker relative who has already received EA within the past 12 months and another who has not, the caretaker relative who already received EA must be excluded from the EA Group.

See 2.4.3 for the criteria for caretaker relative.

EXAMPLE 1: Tia, Tyrone, and their four children received EA under Tia's PIN in WWP. A few months later Tia moved out and Tyrone reapplied for EA for himself and the children the same year after his hours were cut at work. Tyrone is not eligible for EA because he received an EA payment within the past 12 months.

EXAMPLE 2: In June, Julia and her daughter, Carla, received EA. Julia experienced some difficulties in the same year and arranged for Carla to live with Julia's sister, Aunt Maria. Maria applied for EA with Carla in the same year for impending homelessness. Maria is the current caretaker relative of Carla, as she exercises care and control for her, and is responsible for Carla's school attendance, medical care, and other major decisions. Since children can be included in more than one EA Group during a 12-month timeframe, Maria and Carla are eligible as a separate EA Group.

EXAMPLE 3: Steven and his daughter, Olivia, received EA for impending homelessness. He and his wife Barbara were separated at the time. Later that year, Barbara moves back into the home and the family experiences flooding and applies for EA again. Steven is not eligible for EA again until 12 months after his approved EA application and is excluded from the EA Group. Barbara and Olivia may be eligible for EA as a separate EA Group without Steven.

*History: Release 26-01.*

## 2.6 Qualifying Emergency Eligibility

# 2.6.1 Qualifying Emergency Eligibility Overview

To be eligible for *EA*, the EA Group must need assistance as a result of an emergency due to one or more of the following cases:

- Fire, Flood, or Natural Disaster (see 2.6.2);
- Homelessness (see 2.6.3);
- Impending Homelessness (see 2.6.4); or
- Energy Crisis (see 2.6.5).

The emergency must have occurred:

- In the same calendar month as the EA application; **or**
- In the calendar month prior to the EA application.

*History: Release 26-01.*

## 2.6.2 Fire, Flood, or Natural Disaster

Applicants may be eligible for *EA* when experiencing an emergency due to a fire, flood, or natural disaster. Natural disasters are caused by nature and include, but are not limited to:

- Tornadoes;
- Earthquakes;
- Electrical storms;
- Wind storms;
- Hail;
- Sleet;
- Mud or rock slides; or
- Explosions or fires resulting from lighting strikes.

When the criteria for an emergency due to fire, flood, or natural disaster are met, *EA* eligibility does not require a financial crisis.

*History: Release 26-01; Release 21-01.*

## 2.6.3 Homelessness

### 2.6.3.1 Temporary Living Accommodations

#### 2.6.3.1.1 Motels and Hotels

#### 2.6.3.1.2 Doubled-up Housing

### 2.6.3.2 Homelessness due to Uninhabitable Housing

### 2.6.3.3 Homelessness due to Domestic Abuse

Applicants may be eligible for *EA* when experiencing an emergency due to homelessness when the EA Group:

- Needs funds to obtain permanent housing; and
- Meets one of the following criteria:
  - The EA Group is living in a place that is not designed for, or ordinarily used as, a regular sleeping accommodation (examples include, but are not limited to, cars, public hallways, parks, bus stations, and building entrances);
  - The EA Group is living in a temporary accommodation (see 2.6.3.1);
  - The EA Group lacks a fixed, regular, and adequate nighttime residence;
  - The EA Group has left the current housing situation because the housing is uninhabitable (see 2.6.3.2); or
  - A member of the EA Group has experienced domestic abuse (see 2.6.3.3).

When the criteria for an emergency due to homelessness are met, EA eligibility does not require a financial crisis.

### 2.6.3.1 Temporary Living Accommodations

An EA Group may be considered homeless if their current residence is a temporary living accommodation. Examples include, but are not limited to:

- Motels;
- Hotels;
- Emergency/homeless shelter facilities; or
- “Doubled-up” housing.

When determining if the EA Group is living in a temporary accommodation, the *W-2* agency must consider the specific circumstances of the situation.

#### *2.6.3.1.1 Motels and Hotels*

Motels are generally considered to be a temporary living accommodation, but some motels offer a monthly lease and can serve as permanent housing. The EA Group’s intent

to stay in a motel or hotel long term does not indicate that it is permanent housing unless documentation is provided that states it is a permanent housing situation.

### 2.6.3.1.2 Doubled-up Housing

A family living in a “doubled-up”, or shared, housing arrangement may also be considered homeless. For EA purposes, an EA Group residing in doubled-up housing generally meets the homelessness definition when the EA Group meets all of the following criteria:

1. Is not on the lease/mortgage (in cases where the “host” family has a lease/mortgage);
2. Is using the doubled-up housing as a short-term housing solution and would otherwise be homeless; and
3. Has been residing in doubled-up housing for 180 consecutive days or less.

**EXAMPLE 1:** Wayne and his children moved in with his sister seven months ago. Wayne is not on the lease and would like to find housing of his own for himself and his three children. Wayne and his children have been residing with his sister for more than 180 days. Therefore, Wayne is not eligible for EA, and the W-2 agency should work with Wayne to provide him with referrals to other housing and emergency resources.

**EXAMPLE 2:** Crystal and her son, Justin lived with Crystal’s boyfriend, Tom. Two weeks ago, Tom kicked them out of the apartment. Crystal and Justin are staying with Crystal’s friend Belinda. Crystal is eligible for EA, as she and her son have been residing in doubled-up housing for less than 180 days and would otherwise be homeless.

### 2.6.3.2 Homelessness due to Uninhabitable Housing

An EA Group may be considered homeless due to uninhabitable housing if the EA Group has left their current housing because it is determined to be uninhabitable by:

- The local building inspector;
- The local health department; or
- Another 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.

### 2.6.3.3 Homelessness due to Domestic Abuse

An EA Group may be considered homeless due to domestic abuse if a member of the group was subject to domestic abuse as defined under Wis. Stat. s. 968.075(1)(a).

Wis. Stat. s. 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 Wis. Stat. s. 940.225(1), (2) or (3); 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.

*History: Release 26-01; Release 21-01.*

## 2.6.4 Impending Homelessness

2.6.4.1 Impending Homelessness due to Uninhabitable Housing

2.6.4.2 Impending Homelessness due to Domestic Abuse

2.6.4.3 Impending Homelessness due to Foreclosure of Rental Housing

2.6.4.4 Impending Homelessness due to Financial Crisis and Notice to Terminate Tenancy

An **EA** Group may be eligible due to impending homelessness when the EA Group:

- Needs funds to obtain or retain permanent housing; and
- Meets one of the following criteria:
  - The EA Group must leave the current housing situation because the housing is uninhabitable (see 2.6.4.1);
  - A member of the EA Group has experienced domestic abuse (see 2.6.4.2);
  - The EA Group must leave the current rental housing due to a foreclosure action against the owner (see 2.6.4.3); or
  - The EA Group must leave the current housing situation due to a qualifying financial crisis, resulting in a notice to terminate tenancy for non-payment of rent, mortgage, or property taxes (see 2.6.4.4).

### 2.6.4.1 Impending Homelessness due to Uninhabitable Housing

An EA Group may be eligible for impending homelessness due to uninhabitable housing if the EA Group needs to obtain new permanent housing because they must leave their current housing due to it being determined uninhabitable. This determination is made by:

- The local building inspector;
- The local health department; or
- Another 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.

When the criteria for an emergency of impending homelessness due to uninhabitable housing are met, EA eligibility does not require a financial crisis.

### 2.6.4.2 Impending Homelessness due to Domestic Abuse

An EA Group may be eligible for impending homelessness due to domestic abuse to obtain or retain permanent housing if a member of the group was subject to domestic abuse as defined under Wis. Stat. s. 968.075(1)(a).

Wis. Stat. s. 968.075(1)(a) defines domestic abuse to mean any of the following engaged in by an adult person against their 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 Wis. Stat. s. 940.225(1), (2) or (3); 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.

When the criteria for an emergency of impending homelessness due to domestic violence are met, EA eligibility does not require a financial crisis.

**EXAMPLE 1:** Nadia is experiencing domestic abuse from her spouse and applies for EA after her spouse moves out. Nadia is struggling to pay rent and has a large past due balance but has not received an eviction notice yet. Nadia meets all financial and nonfinancial eligibility and is found eligible for an EA benefit to retain her current housing.

**EXAMPLE 2:** Miriam is experiencing domestic abuse and applies for EA for assistance to obtain new permanent housing to leave her current unsafe living situation. Miriam meets all financial and nonfinancial eligibility and is found eligible for an EA benefit.

#### 2.6.4.3 Impending Homelessness due to Foreclosure of Rental Housing

An EA Group may be eligible for impending homelessness due to foreclosure of rental housing when they need to obtain new permanent housing and all of the following conditions apply:

1. The EA Group is residing in rental housing that is currently subject to a foreclosure action; and
2. The EA Group has received written or oral notice to vacate the rental housing within 30 days of the EA application date because of a foreclosure action against the owner.

When the criteria for an emergency of impending homelessness due to foreclosure of rental housing are met, EA eligibility does not require a financial crisis.

#### 2.6.4.4 Impending Homelessness due to Financial Crisis and Notice to Terminate Tenancy

An EA Group may be eligible for impending homelessness for reasons of financial crisis to obtain or retain permanent housing if the group meets both of the following criteria:

1. The EA Group is experiencing a financial crisis that is due to reasons beyond the control of the caretaker relative(s) or that constitute good cause as determined by the *W-2* agency (see 2.6.6); and
2. As a result of the financial crisis, the EA Group received a notice in the name of the applicant to terminate tenancy because of non-payment of rent, mortgage, or property taxes.

*History: Release 26-01; Release 23-02; Release 22-06; Release 21-01.*

## 2.6.5 Energy Crisis

### 2.6.5.1 Exhausting Available Resources

### 2.6.5.2 Immediate Threat to Health and Safety

An **EA** Group may be eligible due to an energy crisis if all of the following conditions apply:

1. The EA Group has exhausted available resources (see 2.6.5.1);
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 (see 2.6.5.2); and
4. The energy crisis must be a result of a financial crisis due to reasons beyond the control of the caretaker relative(s), or that constitute good cause as determined by the W-2 agency (see 2.6.6).

### 2.6.5.1 Exhausting Available Resources

An EA Group may be eligible for an energy crisis only if there is an unmet energy crisis after exhausting all available resources for energy assistance. The EA Group has exhausted available resources if:

1. The EA Group has been denied services from other sources; or
2. The other funding sources do not cover the full cost of the group's energy crisis.

If the EA Group has not already pursued other appropriate payment options, the W-2 agency must assist the EA Group to do so during the 10 working days timeframe.

The EA Group must first pursue alternative services and assistance from:

1. The Low Income Home Energy Assistance Program (LIHEAP), known in Wisconsin as the Wisconsin Home Energy Assistance Program (WHEAP);
2. The local utility company as required by state regulations (see WI Public Service Commission Utility Customer Bill of Rights webpage); and
3. Any other available program.

### 2.6.5.2 Immediate Threat to Health and Safety

The energy crisis must be or is likely to be an immediate threat to health or safety of any member of the EA Group from the lack of or imminent loss of utility services. The W-2 agency must consider all situations which may be an immediate threat to health or safety,

and make a determination based on the circumstances of each specific situation. Examples of when this may occur include, but are not limited to:

- The home includes an individual who requires utility service to operate essential medical equipment;
- The home includes an individual whose health would be affected by the loss of utility services; or
- The expected high temperatures for the next 72 hours will be below freezing (32° F).

*History: Release 26-01; Release 22-06; Release 21-01.*

## 2.6.6 Financial Crisis

The following two categories of emergencies must be a result of a financial crisis due to reasons beyond the control of the caretaker relative(s), or that constitute good cause as determined by the W-2 agency:

1. Impending Homelessness due to Financial Crisis and Notice to Terminate Tenancy (see 2.6.4.4); and
2. Energy Crisis (see 2.6.5).

The financial crisis and the emergency do not need to occur in the same month. However, the emergency must be a result of the financial crisis.

The financial crisis must be caused by one of the following:

- Loss of employment that does not include voluntarily leaving employment without good cause;
- 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.
- Loss of income due to a second parent leaving the EA Group;
- 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 out-of-pocket medical expenses required to be paid;
- Loss of W-2 benefits due to a sanction that is subsequently overturned through the Fact Finding process; or
- Other reasonable circumstances that constitute good cause as determined by the W-2 agency, including but not limited to:
  - The substantial reduction in or loss of child support payments;
  - Loss of support from another caretaker relative, other adult household member, relative or other person outside the home who provided financial support to the EA Group;
  - Loss of Unemployment Insurance (UI);
  - Loss of student financial aid for housing;
  - The substantial reduction in or loss of an income tax refund; or
  - Decrease in a W-2 payment due to a sanction for which the W-2 participant is subsequently found to have good cause.

**EXAMPLE 1:** Janet lost her job due to her company down-sizing in May. She managed to pay her bills until her savings were depleted. She received an eviction notice in November and applied for EA. Janet may be eligible for EA for impending homelessness due to Financial Crisis and Notice to Terminate Tenancy based on her lost employment, which led to her eviction notice.

**EXAMPLE 2:** Emily worked various temporary office assistant jobs for several months in placements by a local temporary employment agency. Then, the agency informed Emily that it had not received any more requests for office assistants and had no other job placements to offer her. Emily missed the next rent payment for her apartment, where she lives with her two children. She received an eviction notice and applied for EA. Emily's loss of income from her temporary jobs and eviction notice would qualify as a financial crisis for EA.

*History: Release 26-01.*

# 03 Financial Eligibility

## 3.1 Financial Eligibility Overview

### 3.1.1 Financial Eligibility Overview

In addition to meeting nonfinancial eligibility criteria for Emergency Assistance (EA), applicants must also meet financial eligibility criteria.

Financial eligibility for *EA* is determined by both a gross income and an asset test. (See 3.2 and 3.3)

Applicants who are open for W-2 or other programs do not automatically meet EA financial eligibility.

See Chapter 4 for information about verifying financial eligibility.

*History: Release 26-01; Release 21-01; Release 19-01.*

## 3.2 Income

### 3.2.1 115% Gross Income Test

The total countable income of the EA Group must be less than or equal to 115% of the *FPL* to meet the gross income test for *EA* financial eligibility.

The FPL changes in February of each year. See W-2 Manual 3.2.1 for current figures.

*History: Release 26-01.*

## 3.2.2 Counting Income

To determine countable income for the 115% income test, the EA worker must choose the most appropriate of the following income test periods, depending on the situation of the applicant:

1. Prospective income, making the best estimate to determine what earned and unearned income will be received by the applicant in the 30 days following the EA application date; or
2. Actual earned and unearned income received in the 30 days prior to and including the EA application date.

Use **W-2** policy for calculating the following:

- Prospective Income Eligibility (see W-2 Manual 3.2.2);
- Estimating Income (see W-2 Manual 3.2.3);
- Income Availability (see W-2 Manual 3.2.4);
- Fluctuating Income (see W-2 Manual 3.2.5);
- Prorating Income (see W-2 Manual 3.2.6); and
- Counting Income (see W-2 Manual 3.2.7).

**EXAMPLE 1:** Anita applied for EA on January 14. She has one child. Anita is employed but was off work from December 21 to January 4 due to an employer shutdown over the holidays. Her rent is past due, and she has received an eviction notice. Anita has returned to work but has not received another paycheck yet. Anita submitted the following check stubs to verify her employment in the 30 days prior to and including the EA application date:

Check stub dated 12/20	\$255.00
Check stub dated 12/27	\$274.13

The W-2 agency calculates that Anita's income was \$529.13. Based on the EA Group of two people, Anita meets financial eligibility as her income is less than 115% of the FPL.

**EXAMPLE 2:** Porter applied for EA on August 7. He has one child. Porter is residing with friends temporarily but looking for a new place to live. Porter was employed, but was laid off and is now receiving unemployment. Porter submitted the following check stubs to verify his employment income in the 30 days prior to and including the EA application date, and the EA worker uses CWW to verify the unemployment income.

Check stub dated 7/11	\$616.26
Unemployment income 7/25	\$200.00
Unemployment income 8/1	\$200.00

The EA worker calculates that Porter's income was \$1,016.26. Based on the EA Group of two people, Porter meets financial eligibility as the EA Group's income is less than 115% of the FPL.

**EXAMPLE 3:** Winston was in an accident and due to his injuries is unable to work for several months while he recovers. He is currently living in temporary housing and needs to find a permanent place to live. The EA worker uses a prospective income test period to calculate the estimated income in the next month, which is more indicative of his current situation than the last 30 days due to the loss of income.

Since Winston is not currently working, does not anticipate working for several months, and has no other income, the worker does not enter any income on the EA application. The worker continues to review the remaining eligibility requirements to determine eligibility in 10 working days.

*History: Release 26-01; Release 22-04; Release 21-01; Release 19-01.*

## 3.2.3 Disregarded Income

Income from household members who are not included in the EA Group must not be included in determining financial eligibility. See 2.4.1 for more information on who is included in the EA Group.

Use *W-2* policy for the following:

- Disregarded Income types (see *W-2* Manual 3.2.8.1); and
- Income with Limited Disregards (see *W-2* Manual 3.2.8.2).

In addition to the *W-2* disregarded income types, disregard the following income types for EA:

- Kinship Care payments; and
- Foster Care payments if the payment is on behalf of a child who is a relative.

*History: Release 26-01.*

### 3.3 Assets

## 3.3.1 \$2,500 Gross Asset Test

The total countable assets of the EA Group at application must be equal to or less than \$2,500 in combined equity value to meet the asset test of *EA* financial eligibility.

Assets from household members who are not included in the EA Group must not be included in determining financial eligibility. See 2.4.1 for more information on who is included in the EA Group.

*History: Release 26-01; Release 21-01.*

## 3.3.2 Counting Assets

Use *W-2* policy for calculating the following:

- Asset Availability (see W-2 Manual 3.3.2);
- Joint Accounts and Property (see W-2 Manual 3.3.2.1);
- Counting Assets (see W-2 Manual 3.3.4);
- Homestead (see W-2 Manual 3.3.4.1);
- Vehicles (see W-2 Manual 3.3.4.2);
- Other Assets (see W-2 Manual 3.3.4.3);
- Individual Development Accounts (see W-2 Manual 3.3.4.4); and
- Federal Income Tax Refunds (see W-2 Manual 3.3.4.5).

*History: Release 26-01.*

# 04 Case Processing Requirements

## 4.1 Verification Overview

### 4.1.1 Introduction

When determining eligibility for Emergency Assistance (EA), EA workers must attempt to verify the following within 10 working days of the application date, based on emergency type:

Emergency Type	Verification Item
All emergency types	The EA Group information (see 2.4)
	The applicant has not received EA in the past 12 months (see 2.5)
	The qualifying emergency (see 2.6)
	Financial eligibility (see Chapter 3)
Energy crisis <b>only</b>	There is a financial crisis beyond the control of the applicant (see 2.6.6)
Impending homelessness due to financial crisis only	There is a financial crisis beyond the control of the applicant (see 2.6.4.4)
	Housing, when the EA Group plans to remain in its current housing (see 5.3.2)

W-2 agencies may not impose stricter verification requirements or require applicants to verify items outside those required in sections 4.2 and 4.3.

EA workers must request any required verification as soon as possible to allow the applicant sufficient time to obtain and provide the verification, while still allowing the agency to determine eligibility within the 10 working days timeframe. (See 1.3.1)

If required verification cannot be provided by the applicant or cannot be obtained with the assistance of the W-2 agency (see 4.1.3) within the 10 working days timeframe, an eligibility determination must be made based upon available information.

Verification documents date stamped as received within the 10 working days timeframe but discovered after a decision was made must be reviewed to determine if a change in the initial eligibility decision is needed. If an eligibility change is needed based on the verification documents, *WWP* must be updated to reflect this change. Applications changing to an “Approved” status must make a payment as soon as possible, but no later than within five working days of the discovery of the document.

Comments regarding verification must be entered in EA comments in *WWP* by the end of the working day following the day the action or contact with the applicant occurred.

*History: Release 26-01; Release 25-02; Release 24-03; Release 24-02; Release 23-03; Release 21-01.*

## 4.1.2 General Verification Guidelines

For applicants with an existing record in CWW, the *EA* worker must attempt to verify available eligibility information via *CWW* and *ECF*. The EA worker must view the information in CWW or ECF and enter EA comments documenting the item that was viewed and the eligibility criterion it was used to verify.

If valid verification documentation already exists in one of these systems, EA workers may not request additional verification.

For eligibility items submitted by the applicant that cannot be verified via CWW or ECF, the EA worker must:

1. Make a photocopy of the verification documentation;
2. Mark the document with the date it was obtained along with the initials of the staff person who obtained the document;
3. Scan it into ECF; and
4. Enter EA comments documenting the verification item.

See W-2 Manual 4.3.2 for additional guidance on vital records.

EA comments in WWP must include an explanation of factors leading to any eligibility determination that cannot be understood using paper documentation. If an EA worker obtains verification via a conversation with the applicant or a third party, the EA worker must enter EA comments in *WWP* describing the evidence and how they obtained the information.

For applicants without a record in CWW, place all documentation in the paper file and enter EA comments in WWP documenting the verification.

See W-2 Manual 4.4.3 for record retention requirements.

History: Release 26-01.

## 4.1.3 Assistance with Verification

The EA Worker must help the applicant obtain required verification if the applicant:

1. Has made a reasonable effort and cannot obtain the required verification;
2. Does not have the power to obtain required verification;
3. Requires assistance to obtain required verification; or
4. Has extenuating circumstances that prevent them from obtaining the required verification.

*History: Release 26-01.*

## 4.1.4 Verifying Questionable or Inconsistent Information

In some cases, information provided by an applicant may appear questionable or inconsistent.

Examples include but are not limited to:

- The applicant or a member of the **EA Group** is a relative of the landlord;
- The applicant lists a child as a dependent child, but the child is also listed on another application;
- An applicant with more than one child does not list all of the children on the application;
- Documents received for verification appear to have been altered; or
- Other inconsistencies exist in or between the application, information given by the applicant, or verification documents.

When verification documents or other information appear questionable or inconsistent, the EA worker must attempt to verify the authenticity of the documents and information with the issuing entity and document in EA comments in **WWP** the actions that were taken.

If the EA worker has attempted to verify the questionable or inconsistent information but has been unable to do so within the 10 working days timeline, the EA worker must deny the application and inform the applicant that they may apply again at any time.

History: Release 26-01; Release 24-03; Release 21-01.

## 4.2 Verification of Eligibility Criteria

### 4.2.1 Verification of Eligibility Criteria Overview

Examples of the possible sources to verify eligibility for *EA* are listed in sections 4.2 and 4.3. This list is not exhaustive.

All verification used must be current, within the past 30 days. Written verification is preferable to oral verification and should consist of a reliable report from an independent source (i.e., third party) whenever possible.

If the applicant is experiencing more than one type of emergency and requests an EA payment for more than one type of emergency at the time of application, the EA worker must request verification related to all emergency types.

History: Release 26-01.

## 4.2.2 Verification of Eligibility for All EA Groups

Agencies must verify all applicable eligibility criteria in the following list for all EA Groups.

Eligibility Criteria	Example Sources of Verification
Identity	See W-2 Manual 4.1.2
Birth Date	
Wisconsin Residency (See 2.1.1)	
U.S. Citizenship (See 2.2.1)	
Qualifying Non-Citizen Status (See 2.2.1)	
Social Security Number (See 2.3.1)	
SSN Application Date (See 2.3.1)	
Assets (See 3.3.2)	
Earned and Unearned Income (See 3.2.2)	See W-2 Manual 4.1.2*
Previous EA Payments (See 2.5)	EA application history in <i>WWP</i>

\*Documentation must include income received in the prior 30 days (See 3.2.2)

History: Release 26-01; Release 24-02; Release 21-01.

## 4.2.3 Verification of Qualified Caretaker Relative

Agencies must verify that an adult included on an *EA* application is a qualified caretaker relative only if:

- The relationship is not parental; or
- It is questionable (see 4.1.4) that the adult meets the definition of a qualified caretaker relative. (See 2.4.3)

Depending on the situation, the agency may need to verify one or more of the eligibility criteria listed in the table below.

Eligibility Criteria	Example Sources of Verification
Relationship to dependent child	Birth certificate or <i>CWW</i> birth query
	<i>KIDS</i> child support disbursement query
	CARES/CWW Assistance Group history
	Government documents confirming relationship to dependent child; for example, Kinship Care documentation
	Signed statement from third party with knowledge of the situation
Currently living with dependent child or lived with dependent child within six months prior to the emergency and anticipated to live with the dependent child in the month following the date of the EA application	CARES/CWW Assistance Group history
	Government documents confirming placement time for the child(ren) in the home; for example, child support or child welfare
	School record
	KIDS query or child support agency contact

Eligibility Criteria	Example Sources of Verification
	<p data-bbox="801 286 1353 362">Signed statement from third party with knowledge of the situation</p> <p data-bbox="801 430 1279 470"><b>Signed statement from applicant</b></p>
Exercising care and control for the dependent child	<p data-bbox="801 530 1359 571">CARES/CWW Assistance Group history</p> <p data-bbox="801 629 1407 705">Receipt of child support for the care of the child</p> <p data-bbox="801 763 1359 840">School or day care record listing the Caretaker Relative as responsible party</p> <p data-bbox="801 898 1439 1050">Government documents confirming the adult exercises care and control for the dependent child; for example, Kinship Care documentation</p> <p data-bbox="801 1108 1417 1225">Signed statement or verbal statement from parent who has authorized the applicant to exercise care and control</p> <p data-bbox="801 1283 1353 1359">Signed statement from third party with knowledge of the situation</p> <p data-bbox="801 1417 1273 1458"><b>Signed statement from applicant</b></p>

*History: Release 26-01.*

## 4.2.4 Verification of Eligibility for Fire, Flood, or Natural Disaster

Agencies must verify that the emergency is due to fire, flood, or natural disaster.

Eligibility Criteria	Example Sources of Verification
Occurrence of fire, flood, or natural disaster (See 2.6.2)	Media article (newspaper article, online news article, or similar article) or photographs
	Written or verbal statement from county emergency management agency or disaster relief agency
	Reliable report from a neutral third party
	Site visit completed by agency
	Photographs of the damaged property
	Signed statement from applicant

*History: Release 26-01.*

## 4.2.5 Verification of Eligibility for Homelessness

Agencies must verify that the emergency is due to homelessness. To be eligible for *EA* due to homelessness (see 2.6.3), the EA Group must meet at least one of the eligibility criteria listed in the table below.

Eligibility Criteria	Example Sources of Verification
Living in a place not designed for, or ordinarily used as, a regular sleeping accommodation	Written or verbal statement submitted by third party with knowledge of the situation
	Signed statement from applicant
Living in a temporary accommodation	Written or verbal statement from staff of the shelter, hotel/motel, or other facility where the applicant is living to confirm the family does not have a monthly or long-term lease
	Rental lease or mortgage document for the residence where the EA Group is residing that does not list the EA Group members included on the EA application
	Written or verbal statement submitted by third party with knowledge of the situation specifying the applicant's living situation, including duration of stay
	Signed statement from applicant
Lacking a fixed, regular, and adequate nighttime residence	Written or verbal statement submitted by third party with knowledge of the situation
	Signed statement from applicant
Uninhabitable housing	Written or verbal statement from local government agency responsible for building inspection

Eligibility Criteria	Example Sources of Verification
	Written or verbal statement from local health department or other appropriate local authority
Victim of domestic abuse	Third party records regarding domestic abuse such as court, medical, law enforcement, or social services records
	Written or verbal statement submitted by third party with knowledge of the situation
	Signed statement from applicant

*History: Release 26-01.*

## 4.2.6 Verification of Eligibility for Impending Homelessness

Agencies must verify that the emergency is due to impending homelessness. To be eligible for *EA* due to impending homelessness (see 2.6.4), the EA Group must meet at least one of the eligibility criteria listed in the table below.

Eligibility Criteria	Example Sources of Verification
Uninhabitable housing	Written or verbal statement from local government agency responsible for building inspection
	Written or verbal statement from local health department or other appropriate local authority
Victim of domestic abuse	Third party records regarding domestic abuse such as court, medical, law enforcement, or social services records
	Written or verbal statement submitted by third party with knowledge of the situation
	Signed statement from applicant
Foreclosure of rental housing	Written notice of removal from rental housing due to a foreclosure action against the owner. The written notice must specify a removal date that is within the next 30 days of the current date.
	Foreclosure notice that specifies inhabitants must vacate the property by a date that is within the next 30 days of the current date
	Signed statement from applicant attesting that they:

Eligibility Criteria	Example Sources of Verification
	<ol style="list-style-type: none"> <li>1. Received an oral notice of removal from rental housing due to a foreclosure action against the owner; and</li> <li>2. Must leave the housing by a date that is within the next 30 days of the current date.</li> </ol> <p>Verify that a foreclosure action has been filed with the court in the name of the landlord by searching for a foreclosure notice filed with the court on the Wisconsin Circuit Court Access website.</p>
<p>Financial crisis and notice to terminate tenancy – nonpayment of rent</p> <p>See 4.2.8 for verification of the financial crisis</p> <p>See the Eviction and Foreclosure Resources Appendix for more information</p>	<p>A notice terminating tenancy for failure to pay rent that meets the minimum requirements of Sections 704.17 Wis. Stats. The type and contents of the notice may differ depending on the type and length of rental lease, but for the purposes of EA, this means the notice must:</p> <ol style="list-style-type: none"> <li>1. Be in writing and be dated; and</li> <li>2. Indicate that the “tenancy is terminated” and the eviction is due to failure to pay rent. The eviction notice may also list additional grounds for eviction. As long as the eviction notice lists failure to pay rent as one of the grounds, it meets the EA eligibility requirements.</li> </ol> <p>A summons and complaint for an eviction action based on failure to pay rent</p>
<p>Financial crisis and notice to terminate tenancy – nonpayment of mortgage or property taxes</p> <p>See 4.2.8 for verification of the financial crisis</p>	<p>A notice of foreclosure for failure to pay property taxes or a mortgage</p>

Eligibility Criteria	Example Sources of Verification
See the Eviction and Foreclosure Resources Appendix for more information	A summons and complaint for a foreclosure action based on failure to pay property taxes or a mortgage
	A writ of assistance, notice of sale, or other verifiable documentation that a foreclosure judgement has been entered against a member of the EA Group and the EA Group will be required to vacate the premises imminently

*History: Release 26-01.*

## 4.2.7 Verification of Eligibility for Energy Crisis

Agencies must verify that the emergency is due to an energy crisis. To be eligible for *EA* due to an energy crisis (see 2.6.5), the EA Group must meet both of the eligibility criteria listed in the table below.

Eligibility Criteria	Example Sources of Verification
Needs financial assistance to obtain or maintain utility service	Utility disconnection notice or other documentation of loss of or imminent loss of utility service. Utility account must be in the name of the applicant or other EA Group member.
	Written or verbal statement from utility company that service has been or will be disconnected.
Financial crisis due to reasons beyond the control of the caretaker relative(s)	See 4.2.8

Agencies must verify the eligibility criteria in the following table only when questionable. (See 4.1.4)

Eligibility Criteria	Example Sources of Verification
Exhausted available resources to address the energy crisis	Written or verbal statement from local <i>WHEAP</i> agency indicating the household: <ol style="list-style-type: none"> <li>1. Has received crisis assistance but the assistance does not meet the total current need; or</li> <li>2. Is not eligible for crisis assistance at this time.</li> </ol>
	Written or verbal statement from applicant regarding resources they have pursued

Eligibility Criteria	Example Sources of Verification
Lack of, or imminent lack of, utility service is likely to be an immediate threat to the health or safety of any member of the EA Group	Written or verbal statement from applicant attesting that the lack of or imminent lack of utility service is likely to be an immediate threat to the health or safety of a member of the EA Group.

*History: Release 26-01.*

## 4.2.8 Verification of Financial Crisis

Agencies must verify the financial crisis if an individual is applying for EA due to:

1. Impending homelessness due to a notice to terminate tenancy (see 2.6.4.4); and
2. An energy crisis (see 2.6.6).

Eligibility Criteria	Example Sources of Verification
Financial crisis	Employer's documentation of reduced paid hours or employment termination
	Pay stubs over a period of time that demonstrate a reduction in, or elimination of, work hours or pay
	Documentation by a third party of income reduction for self-employment or independent contract employment
	Evidence (possibly in KIDS) of a reduction in or loss of child support payments
	Documentation or signed statement of a reduction in or loss of support from another caretaker relative or other adult household member, a relative, or other person outside the home who provided financial support to the EA Group
	Documentation of a reduction in or loss of student financial aid
	Documentation of a reduction in or loss of an income tax refund
	Layoff notice
	Documentation of a reduction in or loss of unemployment insurance payments

Eligibility Criteria	Example Sources of Verification
	Receipts from a medical facility showing medical expenses
	Receipts from a mechanic for repair expenses of a vehicle, which will be used to obtain or maintain employment, along with documentation of vehicle ownership
	Copies of relevant CARES screens documenting good cause for sanction or Fact Finding decision
	Other documentation of a reduction in or loss of income

*History: Release 26-01.*

## 4.3 Verification of Housing Prior to Payment Issuance

### 4.3.1 Verification of Housing Prior to Payment Issuance

EA workers must verify the applicant's housing prior to payment in certain situations. (See 5.3.2)

Item to Verify	Example Sources of Verification
Verification that Eviction or Foreclosure Will Not Proceed (See 5.3.2)	<p>Written or verbal statement by landlord, lending institution, or other third party agreeing to end any pending eviction action or stop any pending foreclosure action if payment is received.</p> <p>When the agreement is verbal, the agency must document this conversation in EA comments in WWP and must follow up by sending a letter to the landlord, bank, or local government agency, which states:</p> <ul style="list-style-type: none"><li>• "You already agreed to not proceed with the eviction/foreclosure. Your acceptance of this payment confirms your agreement to dismiss the eviction/foreclosure."</li></ul>

History: Release 26-01; Release 24-02.

## 4.4 EA Documentation

# 4.4.1 Wisconsin Work Programs (WWP) Overview

*W-2* agencies use a web-based computer program, the Wisconsin Work Programs (WWP) system, to:

- Search and verify history of any EA applications;
- Record application data for all EA applications;
- Determine EA eligibility;
- Document application notes;
- Issue notices of eligibility; and
- Reconcile EA payment amounts with the agency's accounting system/check register.

History: Release 26-01.

## 4.4.2 WWP Entry Requirements

Entering information into **WWP** is mandatory.

EA workers enter data in WWP gathered from the **EA** application, verification documents, and the agency's fiscal records. W-2 agencies must complete the following required action in WWP for each application type:

Type of Application	Required WWP Action	Timeline
All Applications	Complete searches for caretaker relatives to prevent issuance of EA payments to caretaker relatives who have received EA in the previous 12-month period.	Within 10 working days
	Enter any required EA comments.	
Denied or Withdrawn Applications	<p>Enter information in all fields required by WWP, including the appropriate denial or withdrawal reason.</p> <p><i>In addition to the required WWP fields, EA workers are strongly encouraged to utilize optional WWP fields.</i></p>	
Approved Applications	<p>Enter information in all fields required by WWP prior to issuing an EA payment</p> <p><i>In addition to the required WWP fields, EA workers are strongly encouraged to utilize optional WWP fields.</i></p>	
Applications with a Payment Delay	Enter all information on the EA application in WWP (except the payment information).	

Type of Application	Required WWP Action	Timeline
	Enter the reason for a Payment Delay in EA comments.	
	Change the application to "Pending" status in WWP.	
	<p>Change the application status to "Approved" and enter payment information in WWP once the application can be approved and payment issued; or</p> <p>Change the application status to "Denied" and enter EA comments to explain the situation if the application cannot be approved.</p>	Within five working days of the date the EA Group notifies the W-2 agency (see 5.4.2 and 5.4.3)
Approved Applications – EA Payment Information	A Voucher/Check Number must be entered, along with the Voucher/Check Date and the Voucher/Check Amount for the respective EA payment.	Within 10 calendar days of the Voucher/Check Date
	Monitor EA payment information reported in WWP to ensure accuracy and completeness.	Continuously
	Reconcile EA payments in WWP with EA payment amounts submitted to DCF in SPARC. (See 4.6.1)	On a monthly basis

*History: Release 26-01; Release 24-03; Release 21-01; Release 19-01.*

## 4.4.3 EA Documentation in Electronic Case File (ECF)

For applicants with an existing record in *CWW*, applications, verification documents, and any other document relevant to the application must be scanned and stored in *ECF*. For all other applicants, all documents must be retained in a paper file. The *EA* worker must not create a Request for Assistance (RFA) in *CWW* for the purpose of storing EA application materials in *ECF*.

Documents must be scanned into *ECF* in compliance with W-2 Manual 4.4.2, with the exception of confidential information. (See 4.5) Information received as verification for an EA application is considered part of the EA application and should be attached to and scanned with the application in the *ECF* with the Document Code APP (Applications-non CAF). EA notices generated in *WWP* will be automatically saved in *CWW* correspondence history under the individuals PIN and do not need to also be scanned into *ECF*.

If the EA application is completed in *ACCESS*, the application PDF is automatically saved in *ECF* under the *ACCESS* tracking number. W-2 agencies are responsible for scanning and storing remaining application documents and notices as described in this section. The *ACCESS* tracking number must be written on all additional application documents scanned into *ECF*.

*History: Release 26-01; Release 22-06; Release 21-01; Release 20-01.*

## 4.5 Working with Confidential Information

# 4.5.1 Protecting Applicant Information

### 4.5.1.1 Storing Confidential Information

Information concerning applicants generally must not be disclosed except when necessary for the administration of the program or, under certain circumstances, for instance, if requested by law enforcement officers. (See W-2 Manual 4.2.3)

See W-2 Manual 4.2.2.1 for when to provide information and what is considered confidential.

Note: An *EA* application shall be considered a confidential document if applicants indicate they are applying based on homelessness or impending homelessness due to domestic abuse or have any other information related to a domestic abuse situation.

### 4.5.1.1 Storing Confidential Information

If a case contains confidential documents or meets the criteria of a confidential case, but *ECF* is not available, confidential documents must be stored in a sealed envelope in a paper file under lock and key.

History: Release 26-01.

## 4.5.2 Confidential Cases and Confidential Documents in ECF

See W-2 Manual 4.5.1 and 4.5.2 for instances when cases are marked confidential.

Only the worker assigned to the confidential case and their assigned supervisor can access:

- A case in *CWW*;
- The corresponding participant data in *WWP*; and
- The case documents in *ECF*.

If the applicant is enrolled in CWW for another assistance program (i.e., *W-2*, FoodShare, BadgerCare, or Wisconsin Shares) and the case is already marked confidential, elevated access can be requested in *WWP* to access a PIN and process an *EA* application the worker must contact the appropriate agency and assigned worker to gain access to the case to review potential existing verification items. Any additional documents obtained for the EA application must be stored in a sealed envelope in the paper file under lock and key.

History: Release 26-01.

## 4.6 EA Expense Reporting

### 4.6.1 EA Payments in SPARC

*W-2* agencies must utilize the state System for Payments and Reports of Contracts (SPARC) to submit *EA* expenses to *DCF*. SPARC instructions, account information, and reports can be found on the SPARC Homepage.

Emergency Assistance payments for eligible applicants must be issued by the *W-2* agency. (See Chapter 5) *DCF* will process *EA* reimbursement requests according to the schedule outlined in the *W-2* contract.

*History: Release 26-01; Release 21-01; Release 19-01.*

# 05 Processing EA Payment

## 5.1 Payment Processing

### 5.1.1 Payment Processing Overview

An *EA* Group that meets all financial and nonfinancial requirements is eligible to receive a payment. Agencies must complete all of the following steps to properly issue a timely payment:

1. Determine the payment amount (see 5.2.1);
2. Determine how and where to send the payment (see 5.3.1); and
3. Establish if a Payment Delay is necessary (see 5.4.2 and 5.4.3).

*History: Release 26-01; Release 21-01.*

## 5.2 Payment Amount

### 5.2.1 Determining the Payment Amount

The **EA** payment must be the lowest of the following:

1. The maximum payment amount based on emergency type and EA Group size (see chart below); or
2. The financial need resulting from the emergency (see 5.2.2).

Emergency Type	EA Group Size	Maximum Payment Amount
Homelessness	Two to five members	\$1,200 per EA Group
Impending homelessness Fire, flood, natural disaster	Six or more members	\$220 per EA Group member
Energy crisis	All	\$750 per EA Group

**EXAMPLE 1:** John and Susan applied for EA because they were being evicted due to non-payment of rent. They were determined eligible due to impending homelessness with past-due rent of \$1,400. John and Susan have four children, so this would be an EA Group of six people. John and Susan will receive the maximum payment amount of \$1,320 (\$220 x 6 group members).

**EXAMPLE 2:** Marlise applied for EA because she received an eviction notice. Marlise has two children. Marlise provided a copy of the eviction notice indicating past due rent of \$400. The W-2 agency completed the payment calculation for Impending homelessness, including Marlise's past due rent of \$400 and the EA Group size of three. The payment amount was calculated in the amount of \$400 because this is the lesser amount (comparing actual financial need to the maximum payment amount for a household of three at \$1,200).

*History: Release 26-01; Release 24-01; Release 21-01.*

## 5.2.2 Financial Need Calculation

Only certain expenses are included in the financial need calculation. The chart below lists the expenses to include in the financial need calculation for each emergency type, and their corresponding allowable uses.

When calculating financial need:

- Include only the expenses listed in the following chart;
- Do not include expenses that are covered by another resource, such as insurance, FoodShare (FS), *Low Income Home Energy Assistance Program (LIHEAP)*, or a charitable organization; and
- If an **EA** Group is experiencing more than one emergency type, include the expenses for all emergency types. See 5.2.3 for information about issuing multiple payments to address multiple emergencies.

Emergency	Allowable Uses	Expenses to Include in the Financial Need Calculation
Fire, flood, natural disaster	<ul style="list-style-type: none"> <li>• Obtain temporary housing</li> <li>• Retain current housing</li> <li>• Obtain new housing</li> <li>• Other household costs</li> </ul>	<ul style="list-style-type: none"> <li>• Temporary housing</li> <li>• First month's rent</li> <li>• Security deposit</li> <li>• Clothing</li> <li>• Food</li> <li>• Medical care</li> <li>• Transportation</li> <li>• Necessary appliances and household items</li> <li>• Necessary home repairs</li> </ul>
Energy crisis	<ul style="list-style-type: none"> <li>• Maintain essential utility service (including past due bills)</li> <li>• Obtain essential utility service</li> </ul>	<ul style="list-style-type: none"> <li>• Amount needed to obtain or maintain essential heat, electricity, water, or sewer service provided by a utility company</li> </ul>

Emergency	Allowable Uses	Expenses to Include in the Financial Need Calculation
Homelessness	<ul style="list-style-type: none"> <li>• Obtain new housing</li> <li>• Other household costs</li> </ul>	<ul style="list-style-type: none"> <li>• First month's rent</li> <li>• Security deposit</li> <li>• Necessary household items</li> </ul>
Impending homelessness— Domestic abuse	<ul style="list-style-type: none"> <li>• Retain current housing</li> <li>• Obtain new housing</li> </ul>	<ul style="list-style-type: none"> <li>• Unpaid rent/mortgage</li> <li>• Late fees for past rent/mortgage</li> <li>• First month's rent</li> <li>• Security deposit</li> <li>• Court costs for eviction proceedings</li> </ul>
Impending homelessness— Financial crisis and Notice to terminate tenancy		
Impending homelessness— Uninhabitable housing	<ul style="list-style-type: none"> <li>• Obtain new housing</li> </ul>	<ul style="list-style-type: none"> <li>• First month's rent</li> <li>• Security deposit</li> </ul>
Impending homelessness— Foreclosure of rental housing		

*History: Release 26-01.*

## 5.2.3 Multiple Payments

### 5.2.3.1 Multiple Payments to Address Multiple Emergencies

### 5.2.3.2 Multiple Payments to Address Additional Expenses

The *W-2* agency may issue more than one payment only if the *EA* Group:

1. Is experiencing multiple emergencies (see 5.2.3.1); or
2. Discovers additional eligible expenses after the first payment is issued (see 5.2.3.2).

### 5.2.3.1 Multiple Payments to Address Multiple Emergencies

When the applicant lists more than one emergency type on the application, the EA worker must identify the maximum payment amount for each emergency type (see 5.2.1) and use the higher amount as the overall maximum payment amount for the EA Group.

Additionally:

- The combined total amount of all payments cannot exceed the overall maximum payment amount;
- Each payment cannot exceed the maximum payment amount per emergency type; and
- All payments must be issued within 30 calendar days of the application date.

**EXAMPLE:** An EA Group with three members is experiencing an energy crisis and impending homelessness. The agency has determined the group is eligible for EA under both emergency types. The overall maximum payment amount for the EA Group is \$1,200 since the maximum amount for impending homelessness is higher than for an energy crisis. In this situation, the *W-2* agency may issue one payment towards the energy emergency (up to \$750) and one payment towards the housing emergency, as long as the combined total amount of the payments does not exceed \$1,200.

### 5.2.3.2 Multiple Payments to Address Additional Expenses

When an EA group receives a payment and later discovers additional eligible expenses related to the same emergency type, the agency may issue an additional payment(s) as long as:

1. The combined total amount of the payments does not exceed the maximum payment amount for the emergency; and
2. All payments are issued within 30 calendar days of the application date.

**EXAMPLE:** Anna and Peter have two children. After a fire in their home, they applied for EA on September 9 and received a payment of \$400 on September 13. On September 20, Anna and Peter discovered additional eligible expenses totaling \$100 that resulted from the fire. Because they had not already received the maximum payment amount of \$1,200 for a household of four, Anna and Peter may receive an additional payment to cover the additional expenses as long as the payment is issued by October 9 (within 30 calendar days of the application date).

History: Release 26-01; *Release 24-02*; *Release 24-01*.

## 5.3 Issuing the Payment

### 5.3.1 Determining How and Where to Send the Payment

#### 5.3.1.1 Returned EA Payments

It is the applicant's decision where and how the [W-2](#) agency issues the payment. The applicant can choose from the following:

- By check to the applicant;
- By check to the landlord or vendor; or
- By voucher to the landlord or vendor.

The EA worker must discuss the options with the applicant, considering the following circumstances:

- The type of emergency;
- The planned living arrangement;
- The cooperation of the landlord or vendor; and
- The applicant's specific situation.

It is ultimately the applicant's decision as to how their payment will be issued. The EA worker must document how the payee decision was made in EA comments.

See 5.3.2 and 5.3.3 for required steps prior to payment for homelessness and impending homelessness emergencies.

#### 5.3.1.1 Returned EA Payments

If an application is approved but the payment is returned for any reason, an EA worker must make updates to:

1. Zero out the payment amount in the EA Payments section;
2. Update the application status to "Withdrawn" with an "EA payment returned to agency" withdrawal reason; and
3. Update the Approved Payment Amount to zero.

The EA worker must add comments to explain the situation.

*History: Release 26-01; Release 24-02; Release 21-01.*

## 5.3.2 Verification that Eviction or Foreclosure Will Not Proceed

If an EA Group is experiencing impending homelessness due to financial crisis and notice to terminate tenancy, and plans to remain in their current housing, the *W-2* agency must verify that the landlord, bank, or local government agency that issued the notice agrees not to proceed with the eviction or foreclosure if the payment is received. See 4.3.1 for sources of verification.

The *EA* worker must obtain this verification prior to issuing the payment. This verification does not change an applicant's eligibility for the program. This verification is for payment issuance determination (i.e. to maintain housing or find new housing if the landlord is not willing to stop the eviction). For information on the timeframes for issuing payments, see 5.4.

If the landlord, bank, or local government agency is unwilling to stop the eviction or foreclosure process, the EA worker must:

1. Inform the applicant of the option to move to new housing; and
2. Provide referral information and case management services to assist the EA Group in obtaining permanent housing. (See 1.4)

*History: Release 26-01; Release 24-02.*

## 5.3.3 New Permanent Housing Reported

If an *EA* Group is moving to new permanent housing, the applicant must report having new permanent housing before payment is issued. If an applicant has not yet obtained housing at the time of application, they may be eligible for a Payment Delay (see 5.4.2).

For information on the timeframes for issuing payments, see 5.4.1.

*History: Release 26-01; Release 24-02.*

## 5.4 Timeframe for Issuing Payment

### 5.4.1 Timeframe for Issuing Payment

The payment must be made within 10 working days after the application date unless a Payment Delay is necessary.

Payment Delay is allowable in the following situations:

1. The **EA** Group is moving to new permanent housing but has not yet obtained new housing. (See 5.4.2)
2. The EA Group plans to remain in their current housing, but the **W-2** agency has not yet verified that the landlord, bank, or local government agency agrees not to proceed with the eviction or foreclosure if the payment is received. (See 5.4.3)

Information regarding the rationale for a payment delay must be recorded in EA comments in **WWP**. (See 4.4.2)

*History: Release 26-01; Release 24-03; Release 24-02; Release 21-02; Release 21-01.*

## 5.4.2 Payment Delay due to New Housing Not Yet Obtained

### 5.4.2.1 Additional 60 Calendar Days

When an **EA** Group qualifies for a Payment Delay because the group is moving to new permanent housing but has not yet obtained new housing, the group has 60 calendar days from the date the W-2 agency determines the group is eligible for a Payment Delay to find new housing.

When the applicant notifies the W-2 agency that they have found new permanent housing after qualifying for a Payment Delay, the W-2 agency must:

1. Update the application status in WWP to “Approved”;
2. Record the approved payment amount in **WWP**; and
3. Issue a payment within five working days of the date the EA Group notified the W-2 agency that a permanent living arrangement has been obtained.

**EXAMPLE 1:** Harriet applied for EA on November 5. Within 10 working days of her application, the W-2 agency verified nonfinancial and financial eligibility criteria and determined that Harriet was eligible for EA due to impending homelessness. At the time of application, Harriet informed her EA worker that she had not yet found new permanent housing. Harriet qualifies for a Payment Delay and has 60 days to find housing and inform the agency. On November 20, Harriet contacted her EA worker to notify them of her new housing. The EA worker issued a payment on November 22.

**EXAMPLE 2:** James applied for EA on May 15. Within 10 working days of his application, the EA worker verified nonfinancial and financial eligibility and James was found eligible for EA due to homelessness. When James applied for EA, he already had new permanent housing pending assistance from EA. As James already had housing at the time of application, a Payment Delay does not apply. The EA worker issued a check on May 22, within 10 working days of the application date.

### 5.4.2.1 Additional 60 Calendar Days

If the group is not able to find housing within the 60 calendar days timeframe, the group can receive an additional 60 calendar days to find housing. If the applicant has not already contacted the W-2 agency to request additional time, the agency must contact the applicant before the initial 60-day deadline to:

1. Discuss if they are still looking for new permanent housing and need the additional 60 days to continue searching; and
2. Offer resources and relevant referrals to assist the applicant in their search for housing.

If the applicant requires an additional 60-day Payment Delay, the W-2 agency must update the application status reason in WWP to generate a new notice with the new Payment Delay timeframe.

If the W-2 agency is unable to reach the applicant prior to the status deadline after varied contact attempts including phone calls, e-mails, text messages, etc., over several days, the EA worker must still update the application status reason in WWP to provide the additional 60 days to continue searching for housing. Contact attempts with the applicant must be clearly documented and detailed specifically in EA comments.

If the applicant does not find housing after 120 calendar days, the W-2 agency must update the application status to "Denied".

**EXAMPLE:** Kim applied for EA on September 14 and was found eligible on September 16. It was determined that she qualified for a Payment Delay to search for new permanent housing. By November 9, Kim had not contacted the W-2 agency to inform the agency of new permanent housing. The EA worker attempted to contact Kim various times throughout the week via phone and e-mail to check in on her housing search status, offer resources, and discuss possible referrals that may help her search. The W-2 agency was unable to reach Kim despite multiple contact attempts. On November 15, the EA worker updated the application status reason to "Payment Delay (No New Housing Additional 60 days)" and documented the specific types of contact and number of attempts in EA comments in WWP. On November 26, Kim contacted her EA worker with the information about new housing she secured. The W-2 agency proceeded to issue the payment.

History: *Release 26-01; Release 24-03; Release 24-02; Release 22-05; Release 21-02.*

## 5.4.3 Payment Delay due to Lack of Verification that Eviction or Foreclosure Will Not Proceed

An **EA** Group qualifies for a Payment Delay when the group:

1. Is facing impending homelessness due to a financial crisis and has received a notice to terminate tenancy; and
2. The agency has not verified that the landlord, bank, or local government that issued the notice agrees not to proceed with the eviction or foreclosure if the payment is received.

The **W-2** agency must issue the payment and update the application status to “Approved” in **WWP** within five working days of verifying that the landlord, bank, or local government agency agrees not to proceed with the eviction or foreclosure.

If the landlord, bank, or local government is unresponsive or unwilling to stop the eviction or foreclosure process, the W-2 agency must inform the applicant of the option to move to new permanent housing. If the applicant chooses to pursue new housing, then a new Payment Delay to search for permanent housing would apply. (See 5.4.2)

**EXAMPLE 1:** Mary applied for EA on October 8 because she received an eviction notice from her landlord for non-payment of rent. Within 10 working days of her application, the W-2 agency found Mary eligible for EA due to impending homelessness. The W-2 agency requested that Mary inform her landlord that a payment was available if the landlord agreed not to proceed with the eviction. Mary’s landlord called the W-2 agency and verbally confirmed that they would not proceed with the eviction. The W-2 agency then issued the payment to Mary’s landlord at her request. The W-2 agency mailed a letter to Mary’s landlord to confirm that upon receipt of the payment, the landlord would not proceed with evicting Mary.

**EXAMPLE 2:** Joe applied for EA on January 20 after receiving an eviction notice from his landlord for non-payment of rent. Within 10 working days of his application, the W-2 agency found him eligible for EA due to impending homelessness but was unable to confirm with his landlord that they agree not to proceed with the eviction. The EA worker updated his application to “Pending – No Confirmation from Current Landlord” status. After multiple attempts of contacting an unresponsive landlord, the EA worker advised Joe of his option to move to new permanent housing, which he decided to proceed with. The EA worker changed the application status to “Pending – No New Housing Initial 60 days” to generate a new notice and start a new 60-day timeframe for Joe to search for new housing.

*History: Release 26-01; Release 24-03; Release 24-02; Release 22-05; Release 21-02.*

# 06 Dispute Resolution

## 6.1 Introduction

### 6.1.1 Introduction

There are two levels of review under the *EA* Dispute Resolution process:

1. Fact Finding Review (see 6.2); and
2. Departmental Review (see 6.3).

The purpose of the Fact Finding Review is to resolve disputes for applicants who disagree with a *W-2* agency's decision. A Departmental Review may be requested if an individual disagrees with a Fact Finding decision.

*History: Release 26-01.*

## 6.2 Fact Finding Review (First Level Review)

### 6.2.1 Request for Fact Finding Review

The Fact Finding Review is the first level of the dispute resolution process. All applicants and recipients have the right to request a Fact Finding Review. The Fact Finding Review is completed by the *W-2* agency's Fact Finder. An applicant or recipient can petition a Fact Finding Review when they believe at least one of the following has occurred:

- The *EA* worker did not act upon the EA application within 10 working days;
- The EA application was incorrectly denied and/or erroneously withdrawn;
- The EA payment amount was incorrectly modified or canceled;
- The EA payment amount was calculated incorrectly; or
- The agency's determination of an IPV was incorrect (see Chapter 8).

The dispute resolution process for EA overpayments is separate from the Fact Finding process for EA application and IPV decisions. (See 7.1.5)

An applicant or recipient who requests a Fact Finding Review should be encouraged to use the Request for Wisconsin Works (W-2) Fact Finding Review form (DCF-F-DWSP10783-E). However, the petitioner may use other documentation containing the same information found in the form. A W-2 agency must also accept phone requests for Fact Finding Reviews and must document the phone request using form DCF-F-DWSP10783-E.

If an applicant or recipient requests a Fact Finding Review for a complaint not related to any of the above reasons, the W-2 agency must provide the petitioner with a completed Fact Finding Review Denial Notice form (DCF-F-2686-E).

*History: Release 26-01; Release 25-01; Release 23-03; Release 21-02.*

## 6.2.2 Timeframe for Requesting a Fact Finding Review

The Fact Finding Review request must be made within 45 calendar days of the mailing date of *EA* notices.

If the request is received within the 45-day timeframe, the W-2 agency must schedule a Fact Finding Review. If the 45th day falls on a weekend or holiday, the calculated date will be the next working day.

If the request for a Fact Finding Review is received beyond the 45-day timeframe, the *W-2* agency must provide the petitioner with a completed Fact Finding Review Denial Notice form (DCF-F-2686-E).

*History: Release 26-01.*

## 6.2.3 Fact Finding Review Process

See W-2 Manual 12.2.4 through 12.2.13 for information on the Fact Finding Review Process and requirements.

In addition to the items listed in W-2 Manual 12.2.7, *W-2* agencies must ensure the *EA* application case record is complete and all necessary documents are present. The W-2 agency should prepare EA Manual citations for Fact Finding Reviews.

*History: Release 26-01.*

## 6.2.4 Fact Finding Results

If the Fact Finding decision overturns the agency's denial or improper EA payment calculation due to an error in financial or nonfinancial eligibility determination, the agency must:

- Issue the EA payment; or
- Issue an additional EA payment amount based on the new information.

*History: Release 26-01.*

## 6.3 Departmental Review (Second Level Review)

### 6.3.1 Requesting a Departmental Review

#### 6.3.1.1 Processing the Request

#### 6.3.1.2 Timeframe for Departmental Review Completion

If an individual disagrees with the final Fact Finding decision, they may appeal the decision by requesting a Departmental Review. This review is a limited review of the record and the decision of the Fact Finder, conducted by the Department of Administration, Division of Hearings and Appeals (DHA).

The **W-2** agency cannot appeal an **EA** Fact Finding decision, only the individual.

The request for a Departmental Review of an EA decision must be received by DHA within 14 calendar days after the date on which the certified copy of the W-2 Fact Finding decision is mailed (the same date as the Fact Finding decision).

#### 6.3.1.1 Processing the Request

Upon receiving a request for a Departmental Review, DHA must:

- Date-stamp the Departmental Review request upon receipt; and
- Promptly notify the W-2 agency when the request is received.

The W-2 agency must submit the Fact Finding file to DHA within five working days after receipt of the request.

**DHA will fully review the W-2 agency's Fact Finding decision by completing a desk review.**

If, after reviewing the Fact Finding file, DHA determines that the file is inadequate, DHA may:

- Return the file to the W-2 agency to provide additional information;
- Hold a teleconference interview with the petitioner and W-2 agency representative;  
or
- Request written supplementation from the petitioner or W-2 representative.

DHA may postpone a teleconference if the petitioner is not available due to a good cause reason. DHA may also grant an extension of the decision.

#### 6.3.1.2 Timeframe for Departmental Review Completion

DHA must complete its review within 10 working days of the receipt of the Fact Finding file, unless DHA determines the file is inadequate.

The Department must deny a request or must refuse to grant relief if the petitioner withdraws the request for a Departmental Review in writing.

*History: Release 26-01.*

## 6.3.2 Departmental Review Process

See W-2 Manual 12.3.2 through 12.3.4 for information on the Departmental Review process.

*History: Release 26-01.*

# 07 Overpayments

## 7.1 EA Overpayments

### 7.1.1 EA Overpayments

#### 7.1.1.1 EA Overpayment Investigations

#### 7.1.1.2 Calculating EA Overpayments

Overpayments occur when an individual receives an EA payment they were not eligible for. EA overpayments may occur as a result of an error by either the individual applying for EA or the W-2 agency.

There are three types of overpayments:

Overpayment Type	Description	Recovered from
Administrative Error	The W-2 agency commits an error that results in an incorrect payment. This type of error is also known as an agency error.	W-2 agency that issued the payment (See 7.1.3)
Client Error	The EA applicant reports incorrect information or fails to report information due to a misunderstanding or unintended error.	Adult(s) in the EA Group (See 7.1.4)
Intentional Program Violation (IPV)	The EA applicant intentionally misrepresents or withholds information and, as a result, will receive an <i>IPV</i> .	Adult(s) in the EA Group (See 7.1.4 and Chapter 8)

#### 7.1.1.1 EA Overpayment Investigations

Any EA payment potentially paid in error must be investigated for accuracy, capturing details and outcomes in the EA Overpayment SharePoint. Investigations must begin promptly upon learning about the potential error, but no later than within five working days.

All EA overpayment investigations have three potential outcomes:

1. No overpayment claim needed. Based on further investigation, the payment made was accurate;
2. An overpayment claim is needed for either an agency error or an unintentional client error; or
3. A fraud investigation determines an IPV was committed. An overpayment claim and IPV are required (see 8.2.1).

#### 7.1.1.2 Calculating EA Overpayments

The W-2 agency must establish liability for only the amount of EA benefits incorrectly paid to the individual.

For accuracy and consistency, EA workers are required to use the Emergency Assistance (EA) Overpayment Worksheet form (DCF-F-5822-E) to calculate an overpayment for all types of overpayments.

History: *Release 26-01; Release 25-01; Release 21-02.*

## 7.1.2 EA Overpayment SharePoint

The **EA** Overpayment SharePoint is a secure website to document all information related to EA overpayments.

The **W-2** agency must record all EA overpayment investigations and claims details in the EA Overpayment SharePoint.

The W-2 agency must document all of the following in the EA Overpayment SharePoint within 90 calendar days of the Overpayment Investigation Start Date:

1. Overpayment investigation information;
2. The investigation decision; and
3. Claim information, when applicable.

The W-2 agency must also upload all of the following required into the EA Overpayment SharePoint:

1. **Copies of all notices and Emergency Assistance (EA) Overpayment Worksheet forms (DCF-F-5822-E) when the investigation results in a claim;**
2. Copies of any documentation related to overpayment or fraud investigations; and
3. Anything else relevant to the determination or calculation of an overpayment claim.

If fraud is suspected in other programs, the W-2 agency must create a referral in the Benefit Recovery and Investigation Tracking System (BRITS) so they the other programs can conduct their own investigations.

The W-2 agency may establish claims beyond the 90 calendar day timeframe when rationale is documented. See section 7.1.5 for deadlines.

History: *Release 26-01; Release 25-01.*

## 7.1.3 Recovering Overpayments from the Agency

An *EA* overpayment caused by an agency error will be recovered via contract offset from the *W-2* agency that issued the benefits.

The *W-2* agency must upload the Emergency Assistance (EA) Overpayment Worksheet form (DCF-F-5822-E) into the EA Overpayment SharePoint once an agency error overpayment claim is determined to be necessary.

The Bureau of Working Families will send the Emergency Assistance (EA) – Agency Error Overpayment Notice form (DCF-F-5823-E) to the *W-2* agency with the claim information and contract offset month. The notice will be provided at least 30 calendar days prior to the offset.

*W-2* agencies may dispute an agency error overpayment determination by following the Dispute Resolution process outlined in the *W-2* Agency Contract with the Wisconsin Department of Children and Families.

The *W-2* agency does not need to notify the individual who received the incorrect payment due to agency error, as they are not responsible for repayment.

History: *Release 26-01; Release 25-01.*

## 7.1.4 Recovering Overpayments from the Individual

### 7.1.4.1 Overpayment Repayment

### 7.1.4.2 EA Eligibility and Overpayments

**W-2** agencies should establish liability for overpayments only from all adults of an **EA** Group whose application was paid in error. Children within an EA Group are not liable for overpayments.

The W-2 agency must send all of the following to each liable individual via U.S. Mail within two working days of the Overpayment Decision Date:

1. Emergency Assistance (EA) – Overpayment Notice form (DCF-F-5821-E); and
2. Emergency Assistance (EA) Overpayment Worksheet form (DCF-F-5822-E).

The W-2 agency must upload copies of these documents into the EA Overpayment SharePoint.

### 7.1.4.1 Overpayment Repayment

All overpayments must be repaid in full.

The Public Assistance Collection Section leads the repayment process for EA overpayments. PACS will send out repayment agreements for new claims. All liable individuals must receive, sign, and return the repayment agreement to PACS.

If there is more than one liable individual for each liable individual must sign an agreement. Liable individuals may return their own individual agreements, or both sign the same copy. PACS will work with the individuals to negotiate the repayment terms.

The negotiated monthly repayment amount must be at least \$20 per month per liable individual. It is recommended that the individual pay a monthly amount that will repay the overpayment in full within 36 months.

Failure to either return a signed Repayment Agreement or make the agreed upon payment will result in PACS sending a dunning notice sent to the individual(s) by PACS. Dunning notices inform the liable individual(s) that a payment has been missed or there is a past due balance. A total of three dunning notices will be sent. Once an individual(s) has been sent three dunning notices, the overpayment will be considered delinquent and delinquency collections actions may occur.

### 7.1.4.2 EA Eligibility and Overpayments

EA overpayments have no impact on an individual's ability to receive subsequent EA benefits provided they meet all other eligibility requirements as described per policy.

Eligibility following an *IPV* determination is described in Chapter 8.

History: *Release 26-01; Release 25-01.*

## 7.1.5 Deadlines for Establishing Overpayment Claims

Overpayment claims can be established for any payments issued on or after October 1, 2024. *EA* overpayment claims must be established within the following timeframes:

1. One year after the *W-2* agency or the department discovers an administrative error; and
2. Six years after the *W-2* agency or the department discovers a client error or *IPV*.

See Section 7.1.2 for EA Overpayment entry requirements.

See Section 8.2.2 for deadlines in establishing an Intentional Program Violation.

History: *Release 26-01; Release 25-01.*

## 7.1.6 Overpayment Dispute Resolution Process

The dispute resolution process for EA overpayments is separate from the Fact Finding process for *EA* application and *IPV* decisions (see Chapter 6). If an applicant wishes to dispute both an overpayment and an application or IPV decision, they must initiate both distinct processes.

Individuals may appeal an overpayment decision by submitting a written request directly to the Division of Hearings and Appeals no later than 30 days from the date of the EA Overpayment Notice.

To send a request via U.S. Mail:  
Division of Hearings and Appeals  
P.O. Box 7875  
Madison, WI 53707-7875

To hand deliver a request:  
Division of Hearings and Appeals  
4822 Madison Yards Way  
Madison, WI 53705

To send a request via fax:  
Division of Hearings and Appeals  
(608) 264-9885

History: *Release 26-01; Release 25-01.*

# 08 Intentional Program Violation (IPV)

## 8.1 Intentional Program Violation (IPV)

### 8.1.1 Intentional Program Violation (IPV) Overview

An Intentional Program Violation (IPV) means that an individual did any of the following for the purpose of establishing, using, maintaining, increasing, receiving, transferring, or trafficking Emergency Assistance (EA) benefits:

- Intentionally made a false or misleading statement;
- Intentionally misrepresented or withheld facts; or
- Intentionally committed any act that constitutes a violation of state or federal law.

In order to impose an IPV penalty, the IPV must have been committed on or after November 1, 2012.

The receipt of payments or services is not a requirement for imposing an IPV penalty. If an individual commits an IPV during the application process and prior to eligibility determination, the agency can still impose an IPV penalty.

Examples of IPV's may include, but are not limited to:

- Concealing or intentionally not reporting unearned income or assets;
- Concealing or intentionally not reporting employment;
- Intentionally hiding or not disclosing non-Wisconsin residency;
- Intentionally submitting documentation that has been knowingly forged or tampered with; or
- Intentionally submitting false information.

*History: Release 26-01; Release 25-01; Release 21-01; Release 13-01.*

## 8.2 IPV Determination and Process

### 8.2.1 Fraud Investigation

A fraud investigation occurs to determine whether an individual intentionally misrepresented their eligibility criteria or committed an *IPV* (see 8.1.1).

In most potential fraud cases, an investigation is necessary when:

- An agency has reason to believe an overpayment is the result of intentional misrepresentation of program eligibility requirements; and
- The payment would not have been provided if case information had not been misrepresented.

This is typically due to:

- False or misleading statements of circumstances, including income, assets, and household composition;
- Concealed or withheld facts;
- A violation of a program regulation or state statute relating to program eligibility.

*History: Release 26-01; Release 25-01.*

## 8.2.2 IPV Determination

If the outcome of the fraud investigation confirms that an individual committed a fraudulent act, the *W-2* agency must, within seven working days:

1. Determine if an IPV has occurred;
2. Determine whether an IPV penalty can be applied based on the November 1, 2012, effective date of ss. 49.151 (2) Stats; and
3. Notify the individual that they committed an IPV (see 8.2.3).

A W-2 supervisor or a supervisor's designee must review and approve all IPV determinations to ensure uniform application of IPV policy.

*History: Release 26-01; Release 21-01; Release 13-01.*

## 8.2.3 IPV Notification

An individual must be notified in writing by the W-2 agency that they committed an *IPV*.

The IPV letter is automatically generated and sent from *WWP* when an IPV is entered, and informs the individual of the following:

1. The *W-2* agency's determination of the IPV; and
2. The dates and a description of the fraudulent act that resulted in the IPV penalty.

Note: Unlike W-2 IPV's, W-2 agencies are not required to allow the individual seven working days to rectify an IPV for *EA*.

*History: Release 26-01.*

## 8.3 IPV Penalties

### 8.3.1 IPV Penalties Overview

If the *W-2* agency determines that an individual has committed an *IPV*, the *W-2* agency must impose an IPV penalty denying *EA* payments to the individual for the following timeframes:

1. Six months for the first IPV;
2. One year for the second IPV; and
3. Permanently for the third IPV.

The following table outlines when the penalty period begins based on the application type.

For IPV's that result from	The penalty begins
A denied EA application	The first day of the month following the IPV determination.
An approved EA application	The day following the end of the existing 12-month eligibility period (see 2.5.1).

See Chapter 7 for information on recovering benefits due to an IPV.

If the *W-2* agency suspects that fraud may have occurred in more than one public assistance program, the *W-2* agency should communicate and/or create a referral in BRITS for other affected programs so they can conduct an investigation as well. (See *W-2 Manual* 13.6.1)

*History: Release 26-01; Release 25-01; Release 21-01; Release 13-01.*

## 8.3.2 IPVs and Two Caretaker Relatives

When there is more than one Caretaker Relative in the *EA* Group, the EA worker must identify which individuals were involved in the fraudulent act that resulted in the *IPV* determination.

Only the individual(s) determined to have committed the IPV must receive the penalty.

If a caretaker relative is determined not to have been involved in the IPV activity, they may be eligible for EA during the other individual's IPV penalty period.

The EA Group would include only the caretaker relative without an IPV and the dependent child(ren). The individual with an IPV must not be included in the EA Group, and their income and assets must be excluded when calculating financial eligibility.

*History: Release 26-01.*

## 8.3.3 Multiple Acts of Fraud

If the *W-2* agency discovers that more than one act of fraud occurs at the same time, such as on the same application, then the *W-2* agency must impose only one *IPV*. The agency can only impose subsequent *IPV* penalties after:

1. The individual has completed the *IPV* penalty period;
2. They have reapplied for *EA*; and
3. They have committed another, separate fraudulent act.

**EXAMPLE 1:** Lori applied for *EA* in February and is determined eligible based on the information she provided at that time. A month later, the agency discovers that Lori did not report her part-time employment and a savings account that had a balance of \$5,000 at the time of application. The agency must impose only one *IPV* disqualification period even though Lori made two false statements on her *EA* application in February.

**EXAMPLE 2:** Seth commits his first *EA IPV* and is disqualified from *EA* for six months. During this *IPV* penalty period, Seth submits a new *EA* application and reports that he is unemployed and currently has no income. The *W-2* agency discovers that Seth has income from part-time employment and intentionally withheld his income information on the new *EA* application. The agency may not impose a second *IPV* because the first *IPV* penalty period has not ended.

*History: Release 26-01.*

## 8.3.4 IPV Penalties in Other Programs

*IPV* determinations for *EA*, *W-2* (including *JALs*), and Wisconsin Shares (child care) are independent of each other. If an individual commits an EA IPV, the penalty applies only to EA eligibility. If an individual is determined to have committed a W-2, JAL or Child care IPV, the penalty does not apply to EA.

**EXAMPLE:** Cathy applied for W-2 in January. During the W-2 application process, Cathy stated that she and her two children reside in her home and that her husband James moved out two months prior. Cathy stated she is unsure where James is living, and she has not talked to him since he moved out. The FEP completed the W-2 intake and confirmed eligibility. After the appointment, the FEP learns that James is living in the home and never left. After speaking with Cathy, who admitted that she did provide false information, it was determined that Cathy committed a W-2 IPV. The following month, Cathy is not able to pay her rent. She applies for EA and lists herself, her husband, and two children on the EA application. The W-2 IPV does not prevent Cathy from being determined eligible for EA. She may be eligible for EA if she meets all of the nonfinancial and financial eligibility.

*History: Release 26-01; Release 21-01; Release 13-01.*

## 8.4 IPV Documentation

### 8.4.1 IPV Documentation

When the *W-2* agency determines that an applicant has committed an *IPV*, the W-2 agency must enter the IPV in *WWP*. WWP will calculate the IPV penalty period.

*EA* workers with supervisor access must enter IPV's.

A W-2 agency supervisor may also update an IPV. When an IPV is deleted, the W-2 agency must edit other IPV's so the penalty period for any remaining IPV's can be recalculated.

*History: Release 26-01; Release 21-01; Release 13-01.*

## 8.5 Additional IPV Enforcement Actions

### 8.5.1 Overpayment Recoupment for EA IPV's

State law does not authorize the recoupment of *EA* overpayments from other benefit payments, i.e., *W-2* payments. See Chapter 7 for information about EA Overpayment recovery.

*History: Release 26-01; Release 25-01; Release 21-01.*

## 8.5.2 Additional IPV Enforcement Actions

After the *W-2* agency determines that an *IPV* has occurred, the agency may decide to take additional enforcement action(s). The additional enforcement action(s) include:

1. Refer for possible criminal prosecution. The *W-2* agency must communicate with its Legal Counsel to discuss and establish thresholds and criteria regarding when to refer individuals to local law enforcement or the district attorney for consideration of possible criminal prosecution.
2. Obtain a Disqualification Consent Agreement. If the *W-2* agency decides to refer an individual to the District Attorney for prosecution for civil or criminal misrepresentation or fraud, the agency may offer the individual the option to sign a consent agreement with the agency to defer the referral for prosecution. Individuals who choose to sign this waiver still receive an *IPV* penalty.

See *W-2* Manual 13.5.3 for more information.

*History: Release 26-01; Release 21-01.*

## 8.6 Dispute Resolution Process

### 8.6.1 Dispute Resolution Process

Individuals may appeal an *IPV* determination by requesting a Fact Finding Review. (See Chapter 6)

An IPV determination and the establishment of an IPV-related overpayment are considered two separate actions. The individual must appeal each action separately.

Once a *W-2* agency imposes an IPV penalty, the penalty continues uninterrupted for the duration of the ineligibility period unless reversed under the W-2 dispute resolution process. All IPV determinations are subject to the dispute resolution process, but the duration of the ineligibility period is never subject to review.

*History: Release 26-01; Release 21-01.*

# Appendix

## Appendix – Eviction and Foreclosure Resources

For detailed information regarding eviction notices, refer to 704.17 Wis. Stats and 704.19 Wis. Stats.

An information sheet on eviction, including eviction notices, may be accessed on the Tenant Resource Center website.

The table below provides a list of additional resources EA workers can utilize for more information on eviction and foreclosure notices for rental tenants and property owners.

For additional information on	Use the following resources
Eviction notices for rental tenants	<ul style="list-style-type: none"><li>• Wisconsin Department of Agriculture, Trade and Consumer Protection at (800) 422-7128</li><li>• Wisconsin Tenant Resource Center at (608) 257-0143 or toll-free outside Dane County at (877) 238-7368</li><li>• Wisconsin Circuit Court Access website for information on eviction notices filed with the court</li><li>• For additional information about notices related to subsidized housing, contact the subsidized housing program that issued the notice</li></ul>
Property ownership and foreclosure notices	<ul style="list-style-type: none"><li>• Agency's legal counsel</li><li>• Wisconsin Circuit Court Access website for information on foreclosure notices filed with the court</li><li>• City or county real estate assessor's office to verify property ownership (homeowner or rental property)</li></ul>



# Glossary

## ACCESS

A client facing web portal that provides self-service, case specific information regarding an individual's FoodShare, Medicaid, Wisconsin Shares, Wisconsin Works (W-2), and Job Access Loan benefits, including program eligibility information.

## Address

Address refers to the actual place where the household resides. • Applicants and participants must provide an address unless they are homeless, migrant workers, or newly arrived in Wisconsin. Verification of address is not required. • A household does not have to reside in a permanent dwelling. • A household may use a general delivery or PO box address. "Address" is different than "residence."

## Applicant

An individual who applies for Emergency Assistance (EA).

## Calendar Day

Any day of the week, including weekends and holidays.

## CARES Holiday

A holiday limiting official business: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day. A CARES holiday can be observed on an alternate day, depending on the day of the week it occurs; see the CARES Online Availability Calendar.

## CARES Worker Web (CWW)

The web based computer program used in Wisconsin for the W-2, JAL, FoodShare, Badger Care, and Wisconsin Shares programs. Used for the W-2 program in client registration, eligibility determination, placement, and Learnfare.

## Caretaker Relative

An adult in the EA Group who has a qualifying relationship to a dependent child, resides with and anticipates to live with the dependent child and provides care and control for the dependent child.

## Caretaker Supplement Program (CTS)

A monthly cash benefit for an eligible child(ren) living with his/her Supplemental Security Income (SSI) parent. Caretaker Supplement benefits are administered by the county/tribal human social services agency.

## Case Management

The family-centered and goal-oriented process for assessing the needs of a family for financial resources, employment, training and supportive services and assisting the family in obtaining the resources and services.

## Client Assistance for Reemployment and Economic Support (CARES)

Centralized database and framework system used in Wisconsin for the W-2, JAL, TMJ/TJ, FoodShare, Badger Care, and Wisconsin Shares programs to support web-based systems like CWW and WWP.

## Community Action Program

Non-profit, community based agencies that administer various social programs.

## Custodial Parent (CP)

With respect to a dependent child, a parent who resides with that child and, if there has been a determination of legal custody with respect to the dependent child, has legal custody of that child.

## Department of Children and Families

The Wisconsin Department that oversees the W-2, JAL, EA, RCA and RMA programs.

## Dependent Child

A person who currently resides and is anticipated to reside with a parent or other related adult, and who is under the age of 18 or, if the person 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, is under the age of 19.

## Disregard

Do not count, exempt, or exclude

## Doubled-Up

Term used to describe a family that is residing in a home where they are not on the lease/ mortgage and are using it as a short-term housing solution and would otherwise be homeless.

## EA

Emergency Assistance

## EA Group

The primary person and any individuals living in his or her household whose income and/or needs are considered when determining eligibility for benefits.

### Electronic Case File (ECF)

A paperless case file system used by W-2, EA, and income maintenance agencies in Wisconsin. The system uses document imaging (scanning) to store case file materials in an electronic format. The ECF Handbook, including information on software and hardware requirements can be found at: <http://www.emhandbooks.wisconsin.gov/ecf/ecf.htm>

### Emergency Assistance Tracking System (EATS)

Internet based tracking system formally used by W-2 agencies to track and store information regarding EA applications and payments.

### Emergency Management

Assists with coordination of emergency services and resources in disaster situations.

### Federal Poverty Level (FPL)

A minimum amount of income that is needed for food, clothing, transportation, shelter and other necessities, as determined annually by the Department of Health and Human Services.

### Financial and Employment Planner (FEP)

A staff person within a W-2 agency who provides individualized case management and supportive services for a person in a W-2 employment position.

### FoodShare (FS)

Government funded program to help low-income individuals and families to purchase food.

### Good cause

Determination of the W-2 agency regarding whether there is a valid reason.

### Intentional Program Violation (IPV)

Intentionally making a false or misleading statement, intentionally misrepresenting or withholding facts, or intentionally committing any act that constitutes a violation of state or federal law for the purpose of receiving EA benefits.

### KIDS Information Data System (KIDS)

A system which supports child support agencies and county clerks of court with child support and paternity information. The system also supports the automatic creation of IV-D cases through interfaces with the CARES and HSRS state systems.

### Kinship Care

A cash assistance program in Wisconsin designed to support children who reside with caretaker relatives instead of their parents.

## Legal Custody

Regarding the definition of a custodial parent, any person granted legal custody of a child, other than a county agency or licensed child welfare agency, who has the right and responsibility to make major decisions concerning the child, except with respect to specified decisions as set forth by the court or the parties in the final judgment order. Major decisions include, but are not limited to, decisions regarding consent to marry, consent to enter military service, consent to obtain a motor vehicle operator's license, authorization for non-emergency health care, and choice of school and religion.

## Low Income Home Energy Assistance Program (LIHEAP)

Federally funded program to provide assistance to low-income individuals for utility services. Also known in Wisconsin as the WHEAP.

## Medical Assistance (MA)

Also known as Medicaid, Title 19 or MA, a state-federal program that provides health care coverage to low-income elderly, blind, and disabled individuals. In Wisconsin, low-income individuals who do not qualify for Medical Assistance may qualify for BadgerCare Plus.

## Minor Parent

A custodial parent under the age of 18.

## Non-Citizens

All members of the EA group must be U.S. citizens or have qualified non-citizen status. For documentation verifying U.S. citizenship, refer to the W-2 Manual section 4.1.2.

## Noncustodial Parent (NCP)

With respect to a dependent child, a parent who is not the custodial parent.

## Overpayment

An assistance payment received by an individual due to fraud, participant or administrative error.

## Overpayment Investigation Start Date

Date the agency begins investigating a potential Emergency Assistance overpayment

## Parent

A parent is a: (1) Biological parent; (2) Person who has consented to the artificial insemination of his wife under s.891.40, Stats.; (3) Parent by adoption; (4) Man adjudged in a judicial proceeding to be the biological father of the child if the child is a non-marital child who is not adopted or whose parents are not married to each other; or (5) Man who has signed and filed with the state registrar a statement acknowledging paternity.

## Public Service Commission (PSC)

The agency responsible for the regulation of Wisconsin public utilities, including those that are municipally-owned.

## Residence

Residency refers to a person's true, fixed, and permanent home where a person intends to remain indefinitely and to which a person has the intention of returning, whenever absent. "Residence" is different from "address."

## Supplemental Security Income (SSI)

A federal cash assistance program designed to help low-income individuals who are aged, blind and/or disabled.

## TANF

The Temporary Assistance for Needy Families (TANF) program is Title I of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). TANF is the federal block grant program that provides states with the authority and funding to create programs that promote work and provide time-limited assistance to needy families with children.

## UI

### Unemployment Insurance

## Vehicle

A passenger car or other motor vehicle used to transport persons or goods and is owned by someone in the W-2 group.

## Vendor Payments

Payments made on behalf of the household by a third party to another source.

## Wisconsin Home Energy Assistance Program (WHEAP)

Federally funded program to provide assistance to low-income individuals for utility services. Also known as LIHEAP.

## Wisconsin Shares

Wisconsin's Child Care Subsidy program that helps families pay for child care. If the parent is eligible, child care can be subsidized for children under the age of 13 (up to 19 if special needs).

## Wisconsin Work Programs (WWP)

The web based computer program used in Wisconsin for the W-2, Emergency Assistance, TMJ/TJ, and Children First programs.

## Wisconsin Works (W-2)

Wisconsin's TANF program, which provides cash assistance to qualifying families. The program emphasizes personal responsibility and working to the best of one's ability.

## Working Day

Any day of the week except Saturday, Sunday, and CARES holidays.

