

Applicant Rights & Tips For The Cash Assistance Application

Applying for welfare at the NYC Human Resources Administration (HRA) may be difficult. Applicants should know their rights when applying for welfare, and be aware of common barriers.

Everyone Has a Right To:

- **Apply.** Anyone can submit an application, regardless of citizenship, income, age or family status. Some individuals are improperly denied access to applications, or discouraged from submitting an application, or told they are “ineligible to apply.” **This is incorrect. Everyone has the right to apply**, and ineligibility can only be determined by a formal application review.
- **An Interpreter:** Everyone is legally entitled to interpretation & translation services provided by HRA. Applicants don’t need to provide an interpreter, but may choose to bring one.
- **Disability Accommodation.** Individuals with disabilities have a right to reasonable accommodations or exemptions from requirements to help them meet conditions of eligibility.
- **Be Treated With Professionalism & Respect.** Mistreatment, unreturned phone calls, lost paperwork or staff providing incorrect information are not acceptable.

HRA is Required To:

- **Provide same-day interviews** to those with emergencies, or within 7 days in other cases.
- **Help applicants secure documentation** that may be needed to determine eligibility.
- **Accept applications** at local offices any time they are open.
- **Provide written notice** about application decisions in 30 days for Family Assistance & 45 days for Safety Net Assistance. In emergencies, written notice must be provided on the same-day.
- **Provide child care assistance.** HRA must provide parents with resources to secure appropriate child care. Benefits should not be denied or withheld due to a parent’s inability to secure care.

Applicants Should:

- **Gather available personal information/documentation**, including government-issued photo ID, birth or naturalization certificates, leases or informal rental agreements, pay stubs, utility bills, and medical information. Even if an applicant can’t access all these documents, she can still apply.
- **Share important details.** Applicants should alert agency staff of:
 - Immediate emergencies. This includes having no food, being homeless, having an eviction notice, or a lack of items necessary for the immediate health and safety of a family.
 - Domestic violence. Ask for the Domestic Violence Liaison. This may result in waivers excusing applicants from certain requirements.
 - Physical or Mental Disabilities or medical conditions– these may change the application process.
- **Keep all correspondence from HRA:** Applicants should keep copies of any notices from HRA.
- **Document interactions with HRA Workers, including** unsuccessful efforts to reach them.
- **Obtain written documentation of anything preventing the applicant’s participation in HRA-mandated appointments and activities** (for example, a doctor’s note for a medical appointment).

Application Barriers to Be Aware of:

- **Withdrawing An Application** Applicants may be pressured to “officially withdraw” their applications. **No one needs to do this.** All applicants are entitled to a formal, written decision from HRA.
- **“Applying Again”** Those who are denied due to agency errors are often told to “re-apply”. If this happens request a fair hearing (see reverse). While this is pending, households can reapply.

What Applicants Should Do after a Negative Experience at HRA

Applicants can appeal agency decisions, register complaints, or seek help if they are treated improperly, denied legally required services (translation, child care, timely decisions, etc.) or experience inappropriate barriers. Any or all of the following steps may be appropriate.

Request a Fair Hearing

If HRA has made a decision which the applicant believes is incorrect, that individual may request a fair hearing by appealing HRA's decision to the state agency that oversees it.

- **Important: Applicants have 60 days to request a fair hearing (or 90 days for food stamps), but if they wish to maintain any already-existing benefits, they must request “aid continuing” with their fair hearing within 10 days of the date listed on a written notice of “intent to discontinue or reduce benefits”**
- Request a Hearing by calling 1-800-342-3334, by faxing a request to 518-473-6735, or by visiting the fair hearing office at 14 Boreum Place in Brooklyn.
- Common reasons to request a Fair Hearing include (but are not limited to) the following:
 - Incorrect sanction, benefits cancelation/reduction, or application denials.
 - Non-timely review of an application or status change (family size, employment, etc.).
 - Lack of accommodation or support due to disability, domestic violence or an emergency.
 - Lack of shelter, storage, or work-related transportation payments by HRA.
 - Administrative or budgeting mistakes by HRA resulting in loss of benefits.

Applicants may need to attend a “Mandatory Dispute Resolution” at their center, but should not “withdraw” (cancel) fair hearing requests unless all benefits have been restored.

Register a complaint

Those who are mistreated or told incorrect information by HRA should report these instances to:

- **Public Advocate.** The Public Advocate is charged with ensuring that everyone receives city services they are entitled to. They will note details of negative experiences and assign a staff member to follow up about complaints. Applicants can call (212) 669-7250, with case numbers.
- **311.** Register complaints – including mistreatment or workers providing incorrect information.
- **Access to Assistance Campaign** works to change public policy to make benefits more accessible. They're not able to help resolve individual problems. <http://bit.ly/accesscampaign>.

Get Help from Non-Profit Service Providers

Applicants may find it useful to meet with professional service providers and/or legal advocates.

- **Single Stop** provides benefits counseling in locations throughout New York City. 212-480-2870, or <http://bit.ly/singlestop>.
- **Legal Services NYC** can help those in need of legal assistance with their benefits. 646-442-3600, or <http://bit.ly/legalservicesnyc>.
- **Urban Justice Center** runs a Homelessness Outreach & Prevention Legal Clinic, offering help with welfare, Food Stamps & Eviction. (646) 602-5600, or <http://bit.ly/urbanjustice> for locations.
- **Project FAIR** offers information, assistance and referrals in fair hearing matters. Find them at 14 Boerum Place, Brooklyn, Mon-Fri from 12-3. Visit well before the day of the hearing.
- **Center for Benefits and Services** provides a benefit counseling line for individuals looking for information and resources; however, they do not provide legal assistance. Call 212-614-5552.
- **311** can provide information & referrals for social services provided by nonprofit organizations.

Online Resources

- Lawhelp.org offers links to dozens of legal resources: <http://bit.ly/lawhelp>.

Thanks To: Project FAIR, Community Service Society, Legal Aid Society, the Western NY Law Center, and Legal Services of NYC for help in compiling this information.