

ST. LOUIS COUNTY MFIP/DWP EMERGENCY ASSISTANCE (EA) POLICY

Section 1. Emergency Assistance Availability

- 1.1** The 2003 legislature repealed the Emergency Assistance Program (EA) effective July 1, 2003. St. Louis County will continue to provide aid to assistance units in emergency situations as long as funding is available through the designated portion of the MFIP Consolidated Support Services Fund, as established by the county agency and pending approval of the county board.
 - 1.1.1** Availability of funding will be at the sole determination and discretion of the Director of PHHS or designee. No county funds will be expended to supplement, extend, expand, or substitute for the MFIP Consolidated Support Services Fund.
- 1.2** Agency Director or designee will establish a capped proportional distribution of Emergency Assistance, based on prior historical expenditure patterns. If, at any time, expenditures meet or exceed the cap, the Program will be suspended.

Section 2. Definition of an Emergency Assistance Unit

- 2.1** St. Louis County will grant Emergency Assistance to assistance units who meet the eligibility criteria established by St. Louis County in this policy.
 - 2.1.1** For purposes of this Emergency Assistance guideline, an assistance unit is defined as:
 - a pregnant woman and responsible caregiver who reside together in the same home;
 - a minor child (defined as one who is less than 18 years old OR is under the age of 19 and a full-time student in a secondary school or equivalent level of vocational or technical training, designed to fit students for gainful employment) and responsible caregiver(s) who reside together in the same home;
 - 2.1.1.1** For purposes of this Emergency Assistance guideline, a caregiver is defined as a household member who is responsible for the ongoing care and wellbeing of the minor and/or unborn child. Household members who do not fit this description must apply separately for emergency funding if they are responsible for resolving the emergency.
 - 2.1.2** Emergency Assistance may also be approved in order to reunite an eligible caregiver with a child under the age of 19 as long as the other eligibility criteria in this policy are met. The applicant must reside in St. Louis County and intend to stay in St. Louis County. Emergency assistance funds will not

be authorized for an applicant to move out of St. Louis County unless an exception is granted for employment or medical necessity. Supervisor approval is required.

- 2.1.3** Priority will be given to assistance units currently receiving DWP or MFIP benefits, including Family Stabilization Services and families at risk of receiving MFIP, DWP, or FSS.

Section 3. Eligibility for Emergency Assistance

- 3.1** MFIP/DWP Emergency Assistance eligibility will be determined for the applicant's initial request. If Emergency Assistance has been issued, it will not be available again until at least 18 months have passed from the date of issuance.
 - 3.1.1** If an assistance unit includes an eligible caregiver 18 and older who has previously received St. Louis County Emergency Assistance, Emergency General Assistance, or any other Minnesota County's Consolidated (emergency) Fund during the previous 18 month period, the unit is NOT eligible for Emergency Assistance.
- 3.2** The MFIP/DWP Emergency Assistance will try to resolve the assistance unit's emergency situation in the most cost-effective manner. The Emergency Assistance must resolve the emergency, not postpone it.
- 3.3** The assistance unit's current gross income is at or below 200% of the federal poverty guidelines that are in effect at the time of application.
- 3.4** At least one family unit member must have resided in the state for at least 30 days before the date of application or maintain Minnesota residency, and must currently be a resident of St. Louis County.
 - 3.4.1** The county of residence for applicants is the county in which they live at the time they apply, or, if they live in an excluded-time facility, their county of financial responsibility.
 - 3.4.2** Emergency or crisis services residency requirements must allow for exceptions where unusual hardships exist. In addition, migrant workers and their families are exempt from the 30-day residency requirement if they can provide verification that they have worked in this state within the last 12 months and earned at least \$1,000 in gross wages during the time they worked in this state as outlined in MN Statute, Sec. 256J.12.
- 3.5** At least one child or pregnant woman or noncustodial parent of a minor child in the assistance unit must meet the MFIP/DWP citizenship requirements in MN Statutes, Sec. 256J.11.
- 3.6** No assistance unit member is under sanction for failure to cooperate with MFIP, DWP, GA, MSA or Child Support program requirements, or has been disqualified due to program violations.

- 3.7** No caregiver in the assistance unit has refused to accept employment or training for employment in this state or another state without good cause as defined in MN Statute, Sec. 256J.57.
- 3.8** The assistance unit is without resources available to resolve the crisis; the county agency will assess all sources of income, both available and anticipated, assets, and current living expenses of each member of the assistance unit.
- 3.8.1** Available income includes income from sources that may be excluded for other programs, such as tax returns, child support, and tribal payments.
- 3.8.2** Available income includes benefits from MFIP, DWP, GA, MSA and other government aid.
- 3.9** Emergency Assistance is necessary to avoid destitution (including the threat of destitution) or to provide emergency shelter arrangements.
- 3.9.1** In order for Emergency Assistance to be approved and issued, the aid provided must resolve the crisis and enhance stability of the assistance unit. All eligible and covered expenses of Emergency Assistance will not be issued unless it is confirmed that assistance, combined with payments by the applicant or funding from any other verified sources, will continue or restore the needed service, and resolve the crisis.
- 3.10** The assistance unit must not have used, without good cause as determined by the county agency, more than 50% of net income for purposes other than basic needs during the 60 days prior to application. Supervisor approval is needed for good cause determinations. Examples of good cause include, but are not limited to, chemical dependency, mental illness, court fees, domestic abuse, etc.
- 3.10.1** An assistance unit member's net income will be determined by subtracting mandatory deductions, such as federal and state tax, FICA, medical insurance premiums, child support, etc. Voluntary deductions such as retirement, vacation accounts, etc. will not be considered. Basic needs are limited to:
- Shelter expenses limited to rent, mortgage, insurance and property tax costs of the assistance unit's main residence;
 - Utility expenses limited to costs for heating, cooling, electricity, water, sewer, garbage and phone;
 - Food purchases up to the amount of the Thrifty Food Plan allotment for the assistance unit's size minus any Food Support issuances that have occurred;
 - Medical expenses, including insurance premiums, not covered under a private, state, or federal program;
 - Transportation costs pertaining to employment, school, and medical appointments. Transportation costs will be calculated at \$.22/mile or the monthly cost of a bus pass;
 - Child care expenses;
 - Other work expenses or costs to retain or obtain employment;

- Diapers;
- Formula

3.10.2 When calculating the cost of basic needs, actual utility expenses shall be used except when determining phone expenses. The SNAP standard utility deduction will be used when calculating phone costs.

Section 4. Processing Emergency Assistance Applications and Payments

- 4.1** To apply for Emergency Assistance, an assistance unit must complete a DHS Combined Application Form, DHS-5223, or other forms designated by St. Louis County.
- 4.2** Each assistance unit shall be processed on a separate case. One application form can be used if it contains all required signatures.
- 4.3** If more than one assistance unit is responsible for resolving the emergency, each unit must pay an equitable share of the cost of resolving the emergency by applying for assistance or showing proof of payment from other sources.
- 4.4** An interview shall be conducted via phone or in person with one responsible member of the assistance unit or their authorized representative. If an interview is not completed within the 30 day processing period, the application will be denied.
- 4.5** Within five days of receiving the application or sooner, if the immediacy of the situation warrants it, the assistance unit will be notified in writing whether their application was approved, denied, or pending.
 - 4.5.1** If notice is sent that an application was pending, the county agency will notify the assistance unit within 30 days whether their application was approved or denied.
- 4.6** Funding approved under the Emergency Assistance guidelines will be vendor paid.
 - 4.6.1** If an assistance unit is receiving MFIP or DWP, these cash benefits will be subject to vendor payment for 18 months from the time the emergency is paid, in order to prevent reoccurrence of the emergency.
- 4.7** County supervisors shall review all denials for Emergency Assistance.

Section 5. Verifications

- 5.1** Required verifications for Emergency Assistance may include: income, assets, living expenses, living situation (landlord statement), household composition, and emergency need.
- 5.2** Applicants will be required to sign the following forms:
 - Release of Information for the landlord and/or utility company;

- Mandatory Vendor Form, DHS-3365; and
 - Emergency Assistance Limits form
- 5.3** The county agency will check MONY/INQX for previous EMER issuances to verify the assistance unit meets requirements found in Section 3.1.
- 5.4** Failure to provide requested documentation will be valid grounds for denial. When a client cooperates but still cannot produce adequate source of proof, the best available information will be used.
- 5.5** The applicant has the right to appeal eligibility determinations through the State of Minnesota. Decisions will be based on St. Louis County's Emergency Assistance Policy.

Section 6. Emergency Assistance Limitations

- 6.1** The maximum amount of Emergency Assistance that may be approved and issued for an assistance unit, adding together all expenses needing payment to resolve the crisis, cannot exceed three times the cash grant standard under MFIP/DWP for the assistance unit's size. In special circumstances, amounts over three times the cash grant may be approved by a supervisor. Emergency Assistance needs that may be funded by Emergency Assistance are limited to the following:

6.1.1 Rent

- 6.1.1.1** The county agency may issue Emergency Assistance for rent to prevent eviction from rented or leased shelter.
- 6.1.1.2** Emergency Assistance will not be issued for payment of late fees, unless the county agency determines it is cost effective to do so.
- 6.1.1.3** Emergency Assistance will not be issued for more than three months' rent, including current month, unless the county agency determines it is cost effective to do so. Supervisor approval is required.
- 6.1.1.4** Emergency Assistance funds will not be issued if the county agency determines that the housing is not cost effective based on the assistance unit's current or anticipated income.
- 6.1.1.5** Emergency Assistance funds will not be authorized for an applicant to move out of St. Louis County unless an exception is granted for employment or medical necessity. Supervisor approval is required.
- 6.1.1.6** Emergency Assistance will not be issued to reimburse prepayments made by the assistance unit towards the emergency.

6.1.2 Mortgage and Contract for Deed Arrears

- 6.1.2.1** When a home is owned, occupied, and maintained by the assistance unit as their main residence, the county agency may issue Emergency Assistance for mortgage or contract for deed arrears on behalf of an otherwise eligible unit, not to exceed three times the cash grant for the assistance unit's size.
- 6.1.2.2** Emergency Assistance only may be issued when no subsequent foreclosure action can be reasonably expected within the next 18 months following the issuance.
- 6.1.2.3** Emergency Assistance may only be issued when the assistance unit has been refused refinancing through a bank or other lending institution.
- 6.1.2.4** Emergency Assistance may only be issued when the creditor will accept the assistance payment, combined with any payments made by the assistance unit, as full payment of arrears.
- 6.1.2.5** Emergency Assistance may pay mortgage arrearages, including the escrow account.
- 6.1.2.6** Emergency Assistance funds will not be issued if the county agency determines the housing is not cost effective based on the assistance unit's current or anticipated resources.
- 6.1.2.7** Emergency Assistance will not be issued to reimburse prepayments made by the assistance unit towards the emergency.

6.1.3 Damage or Utility Deposits

- 6.1.3.1** The county agency may issue Emergency Assistance for damage or utility deposits when necessary to alleviate the emergency.
- 6.1.3.2** Emergency Assistance issuance is limited to one month of rent and a damage deposit for entry into a new rental agreement.
- 6.1.3.3** The amount eligible for issuance for a damage deposit is equal to no more than the amount of one month of the rent.
- 6.1.3.4** Emergency Assistance will not be issued for a damage deposit after the assistance unit has already moved into the rented or leased shelter unless there is an application for Emergency Assistance pending or an eviction notice.
- 6.1.3.5** Emergency Assistance will not be issued for a damage deposit when an assistance unit member is not named as a lessee on the lease.

- 6.1.3.6** Emergency Assistance funds will not be authorized for an applicant to move out of St. Louis County unless an exception is granted for employment or medical necessity. Supervisor approval is required.
- 6.1.3.7** Emergency Assistance funds will not be issued if the county agency determines the utilities are not cost effective based on the assistance unit's current or anticipated resources.
- 6.1.3.8** Emergency Assistance will not be issued to reimburse prepayments made by the assistance unit towards the emergency.
- 6.1.3.9** Emergency Assistance that is paid as a damage deposit, less any amount retained by the landlord to remedy a tenant's default in payment of rent or other funds due to the landlord under a rental agreement or to restore the premises to the condition at the commencement of the tenancy with ordinary wear and tear excepted, must be returned to the assistance unit when it vacates that location.

6.1.4 Utility Disconnect/Shutoff Costs

- 6.1.4.1** Emergency Assistance for utility costs may be made when an otherwise eligible assistance unit has had a termination or is threatened with a termination of municipal water and sewer service, electric, gas or heating fuel service, or refuse removal service, or lacks wood when that is the primary heating source.
- 6.1.4.2** The county agency may not issue assistance unless it receives confirmation from the utility provider that assistance combined with payment by the applicant and funding from any other verified sources will continue or restore the utility.
- 6.1.4.3** Emergency Assistance will not be issued for more than three months' utilities including the current month, unless the county agency determines it is cost effective to do so. Supervisor approval is required.
- 6.1.4.4** Emergency Assistance will not be issued to reimburse prepayments made by the assistance unit towards the emergency.

Section 7. Appeals

- 7.1** Emergency assistance applicants must request an appeal hearing in writing and state what county agency action they are appealing.

- 7.1.1** Applicants may use the Appeal to State Agency (DHS-0033) or send a letter indicating disagreement with the county agency's decision.

7.2 The appeal request must be received within 30 days of receiving a notice of proposed action, or show good cause for not requesting within that time. Applicants may file an appeal up to 90 days after receiving the notice of proposed action if they show good cause for not filing within 30 days.