

CHAPTER 680.
VIRGINIA ENERGY ASSISTANCE PROGRAM.

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PART I

DEFINITIONS

22VAC40-680-10. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context indicates otherwise:

"Department" means the Department of Social Services.

"Disabled person" means a person receiving Social Security disability, Railroad Retirement disability, 100% Veterans Administration disability, Supplemental Security Income as disabled, or an individual who has been certified as permanently and totally disabled for Medicaid purposes.

"Elderly person" means anyone who is 60 years of age or older.

"Energy burden" means the average fuel cost for the primary fuel type used by a household divided by the income of the household.

"Energy-related emergency" means a household has no heat or an imminent utility cutoff or no single source of operable or safe heating equipment.

"Fiscal year" means October 1 through September 30.

"Household" means an individual or group of individuals who occupies a housing unit and functions as an economic unit by purchasing residential energy in common (share heat), or making undesignated payments for energy in the form of rent (heat is included in the rent).

"Poverty guidelines" means the Poverty Income Guidelines as established and published annually by the Department of Health and Human Services.

"Primary fuel" means the fuel used to operate the primary heating system currently used to heat the majority of the house.

"Primary heating system" means the system that is currently used to heat the majority of the house.

~~"Resources" means cash, checking accounts, savings account, saving certificates, stocks, bonds, money market certificates, certificates of deposit, credit unions, Christmas clubs, mutual fund shares, promissory notes, deeds of trust, individual retirement accounts, prepaid funeral expenses in excess of \$900, or any other similar resource which can be liquidated in not more than 60 days.~~

"Vulnerability factor" means an individual is a child under the age of six or meets the definition of an elderly or disabled person.

PART II

FUEL ASSISTANCE

22VAC40-680-20. Eligibility criteria; transfer of resources.

A. The purpose of the fuel assistance component is to provide heating assistance to eligible households to offset the costs of home heating energy that are excessive in relation to household income.

B. Eligibility criteria is set out in this subsection.

1. Income limits. Maximum income limits shall be at or below 130% of the poverty guidelines. In order to be eligible for fuel assistance, a household's income must be at or below the maximum income limits.

~~2. Resource limits. The resource limit for a household containing an elderly or disabled person shall be \$3,000. The resource limit for all other households shall be \$2,000. In addition, any individual or family applying for or receiving assistance under the fuel assistance programs may have or establish one interest-bearing savings account per assistance unit not to exceed \$5,000 at a financial institution for the purpose of paying for tuition, books, and incidental expenses at any elementary, secondary or vocational school or any college or university or for making a down payment on a primary residence. Any funds deposited in the account and any interest earned thereon, and any amounts withdrawn from the account for the purposes stated in this section shall be exempt from consideration in any calculation. In order to be eligible for fuel assistance, a household's countable resources must be at or below the amount specified.~~

~~3.~~ 2. Alien status. Any alien who has obtained the status of an alien lawfully admitted for temporary residence is ineligible for a period of five years from the date such status was obtained. This shall not apply to a Cuban or Haitian entrant or to an alien who is an aged, blind or disabled individual.

4. 3. Ineligible households. The households that are ineligible to receive fuel assistance are:

- a. Subsidized households whose total heating costs are included in their rent.
- b. Persons living in institutions.
- c. Persons living in temporary shelters or group homes who have no heating expense or who pay a nominal fee to live there.
- d. Persons who reside in only one room within a larger dwelling.
- e. Subsidized households who are responsible for payment of individual excess fuel usage charges even though heating expenses are included in their rent.

~~C. Any applicant of fuel assistance shall be ineligible for that fuel season if he improperly transfers or otherwise improperly disposed of his legal or equitable interest in nonexempt liquid resources without adequate compensation within one year of application for fuel assistance.~~

~~Compensation that is adequate means goods, services or money that approximates the value of the resources.~~

~~This policy does not apply if any of the following occur:~~

~~1. The transfer was not done in an effort to become eligible for fuel assistance;~~

~~2. The resource was less than the allowable resource limit; or~~

~~3. The disposition or transfer was done without the person's full understanding.~~