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**ENERGY PROGRAMS**  
**EP-300 LOW INCOME ENERGY ASSISTANCE PROGRAM**

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**EP – 300 LOW INCOME ENERGY ASSISTANCE PROGRAM**

**CHANGE 1-2024**  
**February 17, 2024**

**300.01 LOW INCOME ASSISTANCE PROGRAM (LIEAP)**

The Low-Income Energy Assistance Program (LIEAP) provides a one-time annual energy provider payment to help eligible families pay their heating expenses.

The following sections of the Energy Programs manual also apply to LIEAP:

Section	Section Number
Contracting and Vendor Agreement	120
Retention	125
Appeals and Hearing Process	135
Overpayments and Fraud	140
Household Composition	150
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**300.02 APPLICATION REQUIREMENT**

- A. Everyone who wishes to apply for the Low-Income Energy Assistance Program (LIEAP) must be given the opportunity to apply without delay during the appropriate application time frame. Appointments are not required for LIEAP applications.

The following is the priority group that can apply for benefits for LIEAP from December 1st through December 31st:

1. Households containing an elderly person aged 60 and above or
2. Households containing persons with disabilities that receive services through the Division of Aging and Adult Services (DAAS). Disabled persons are defined as receiving Supplemental Security Income (SSI), Social Security Administration (SSA), or Veterans Administration (VA) disability.

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**EXAMPLES:**

- a. An applicant aged 50 applies in December. Also, in the home are two children under 18 and another adult age 40 who is disabled and receiving services through DAAS. This household is potentially eligible to receive benefits in the month of December.
- b. A disabled applicant aged 45 applies in December. There is another adult in the home age 20 who is not disabled. The disabled applicant does not receive any services through DAAS. This household may apply in December but does not meet the target group eligibility requirements to potentially receive benefits during that month. This household will need to reapply beginning January 1<sup>st</sup> through March 31<sup>st</sup>, or until funds are exhausted, to be considered for approval.
- c. An applicant aged 60 applies in January. Also, in the home are two other adults, aged 30 and 42. This household is potentially eligible to receive benefits during the month of December.
- d. An applicant aged 40 applies in December. Also, in the home is another adult aged 65 and a child aged 10. This household is potentially eligible to receive benefits during the month of December.

Any household can potentially receive benefits from January 1<sup>st</sup> through March 31<sup>st</sup> or until funds are exhausted if all eligibility requirements are met. If December 1<sup>st</sup> or January 1<sup>st</sup> falls on a weekend or holiday, resort to the first working day of the month. If March 31<sup>st</sup> falls on a weekend or holiday, resort to the last working day of the month.

When an applicant comes into an agency that takes applications and requests to apply during the application time frame as defined above, they must be allowed to sign an application on the day they appear.

**NOTE:** Households that include a Native American individual that is eighteen or older, living in Cumberland, Hoke, Robeson, and Scotland counties, who wish to apply for LIEAP benefits, must do so through the Lumbee Tribe.

**NOTE:** Households that include a Native American individual that is eighteen or older, living in the five-county service area of Cherokee, Graham, Haywood, Jackson, and Swain counties, who wish to apply for LIEAP benefits, must do so through the EBCI. This includes enrolled EBCI members on and off the Qualla Boundary in the five counties.

- B. Applications taken must be completed by state and local government entities or community-based organizations as well as by social services. Examples of community-based organizations are not-for-profit neighborhood-based organizations, area agencies on aging, and community action agencies. (See EP-200 for additional information.) Completed applications must include the

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applicant's signature and date. The worker's signature is not required. NC FAST provides a transaction history of the case actions based on the North Carolina Identity Management (NCID) of the user for all applications. This is considered the worker's electronic signature.

- C. A valid social security number is required, when available, for each household member. Applicants not currently active in Food and Nutrition Services, Work First Family Assistance (WFFA), or Medicaid must sign the NC FAST-20009, North Carolina Rights and Responsibilities for Public Assistance, when Income and Eligibility Verifications System (IEVS) matches are performed prior to the applicant's signing of the DSS-8178, Energy Programs Application or the signature page from the application in NC FAST.
- D. Explain the applicant's rights and responsibilities.
- E. Inform all applicants, either verbally or in writing, that unless the requested information is received within 10 business days from the date of application, the application will be denied.
- F. Inform all applicants that approval is based on availability of funds at the time of application disposition.
- G. LIEAP applicants must be provided with the opportunity to register to vote.
- H. If the provided utility bill is not in the applicant's name, or another adult household member's name, the applicant needs to provide a written statement from the person whose name the bill is in verifying the applicant is responsible for payment of the heating expense. In the event the person is unreachable, accept the applicant's statement.

**NOTE:** LIEAP funds cannot pay bills in a deceased person's name or in the name of a minor child. In such cases, the applicant should be encouraged to transfer the utility bill into the applicant's name as soon as possible.

**300.03 APPLICATION LOG**

Counties must log all individuals requesting to apply for LIEAP. Counties may use NC FAST or another logging method, as long as a record is kept and maintained on site.

**300.04 APPLICATION PROCEDURES**

**The date of application is the date the signed application is received in the agency.**

**A. General Information**

- 1. The applicant or the authorized representative must apply for LIEAP in the county in which the household resides, and the applicant must be a resident of North Carolina. **Applications received by mail, email, fax, dropped off, or in person and through ePASS in the incorrect county of residence must be transferred by the receiving county to the correct**

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county of residence within one business day to meet federal policy requirements.

2. Duplicate payments to LIEAP households are not permitted. Establish controls to ensure that households do not receive duplicate benefits.
3. Perform an Energy Benefits Search in NC FAST to check for other energy applications for any household members. If the name, address, and social security number for a household member match that of an applicant already in the NCFAST, conduct additional research before approving the application. Evaluate each household member to determine the correct household composition to eliminate the duplication. See Job Aid, Energy – Initial/New LIEAP Application to Case Job.
4. The LIEAP application period ends March 31st of each year. The keying deadline is 20 business days following the application period end date. After such time, LIEAP applications cannot be entered into NC FAST.
5. All LIEAP applications pending after March 31st must be processed within 20 days from the date of the application.

**NOTE:** Applications are not complete unless all questions are answered, and the application is signed by the applicant. Do not key an unsigned/incomplete application into NC FAST

B. Explain that the applicant has the right to:

1. Receive assistance if found eligible.
2. Be protected against discrimination on the grounds of race, color, national origin, sex, religious creed, disability, age, political beliefs, or reprisal or retaliation for prior civil rights activity in any program by Title VI of the Civil Rights Act of 1964 and may appeal such discrimination under Section 504 of the Disability Act.
3. Have any information given to the agency kept in confidence.
4. Appeal, if
  - a. Denied the right to apply for assistance on the same day the applicant or the authorized representative went to the local county agency or
  - b. The application was denied or
  - c. The assistance is incorrect based on the county's interpretation of the State regulations or
  - d. A decision is not made on the application in a timely manner.
5. Withdraw from the assistance program at any time.
6. Reapply if the household is denied and the situation changes. The household must reapply before the application period expires.

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C. Explain that the applicant's responsibilities are to:

1. Provide requested information needed to determine eligibility within ten business days. Use the DSS-8185 to request needed information. This is the only request provided to the applicant.

**NOTE:** Inform the applicant that if the information is **not** received **by the deadline date**, the application will be denied for failure to provide information. Approval will be based on availability of funds at the time of disposition.

2. Provide verification of social security numbers for all members of the LIEAP household. If verification is not available, accept client's statement.

D. Local County Agency's Responsibilities

The County has the responsibility to:

1. Assist the household in obtaining information to determine eligibility, if requested.
2. Inform the applicant or the authorized representative of the eligibility requirements and hearing rights. Use the NC FAST-20009 for this purpose.
3. Explain the meaning of fraud to the applicant. Explain penalties for providing false or incorrect information.

E. Prevention of Overpayments

1. Interviews

The key to fraud prevention is skilled interviewing. The interviewing process must involve two-way communication. First, you must be specific and thorough in the questions asked. It is important to phrase questions in a way that the applicant/ representative (a/r) will understand. For example, thoroughly explain specific items included as "income" to avoid the misunderstanding that the only item included is wages. Secondly, listen carefully to the a/r's responses. Give the a/r a chance to respond in their own words. Repeat the a/r's responses back to them to ensure you understand and to give them a chance to add additional information.

2. Other Preventive Measures

- a. Intra-agency

Establish communication among the various units in your office. Fraud prevention is the responsibility of the entire agency. Therefore, you must develop a systemic way to report changes and exchange information. Each agency should have several controls in place to avoid duplication of payments.

- b. Inter-agency

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To obtain prompt and accurate information needed to determine eligibility, it is important to establish a good relationship with other agencies, employers, and institutions. Inform them of the program requirements and the importance of receiving prompt and accurate information.

c. Public Awareness

Inform the public about your agency's attempt to prevent fraud. This is important both as a deterrent and as a public relations measure. Information regarding court actions taken against fraudulent clients, amount of collections over a period of time, etc., could be periodically offered to the news media. Publicize the telephone number for calling in reports of possible fraud. Emphasize that such reports are kept confidential. If the public realizes the importance of preventing fraud, you may be able to obtain much more information and cooperation.

d. Benefit Search

To avoid duplicate payments, perform an Energy Benefits Search in NC FAST. The purpose of this search is to assist the county with identifying possible duplicate issuance of benefits. The search can be completed by using social security numbers, addresses, or names. See Job Aid, Energy – Initial/ New LIEAP Application to Case Job

**300.05**

**INTERVIEW REQUIREMENTS**

- A. Applicants are not required to complete applications in the office nor have a face-to-face interview. Applications received in the agency by mail, email, fax, online or dropped off will require an interview, however, this interview can be conducted by telephone. If the applicant cannot be reached by phone, send a DSS-8185 including a date and time for an interview. Refer to the job aid titled Energy-ePASS Application Process in NC FAST Help for guidance on processing online ePASS applications.
- B. Applicants who contact the agency by phone wanting to apply for LIEAP should be interviewed at that time and offered the opportunity for a telephonic signature. Mail the applicant a form DSS-8185 requesting necessary verifications. Only mail the completed DSS-8178 for signature if applicant declines the option to complete a telephonic signature.
  - 1. Telephonic Signature Option. For phone interviews, clients have the option to provide a telephonic signature over the phone.

The worker will summarize the information to which the household assents and allows a verbal signature from the applicant that is documented by the worker. The documentation will be included in a case note in NC FAST to demonstrate that the client has signed the application. Document "Telephone Signature" in the Income Support Application → Contact Tab → Notes

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The documentation in NC FAST should include the client's name, date, time of telephone interview and the client's response to indicating agreement to this verbal attestation of signature over the phone.

C. Application Procedure for Telephone Interviews

1. Complete the application interview.
2. Accept telephonic signature unless client declines. If client declines mail the application form (DSS-8178). Mail the (DSS-8185) to the applicant if verification is needed.
3. Allow the applicant 10 business days to return the application and/or required verifications. Record the pending date on the (DSS 8185). This is the only request sent to the applicant.

**NOTE:** Applications are not complete unless all questions are answered, and the application is signed, or telephonic signature is accepted. Do not key an unsigned application into NC FAST.

**300.06 ACTION TO TAKE WHEN AN ENERGY PROGRAMS APPLICATION (DSS-8178) IS COMPLETED BY THE COUNTY**

A. When an application is:

1. Complete

The application is complete if all questions have been answered and documented on the application form. It must be signed by the applicant, or the authorized representative or with a telephonic signature.

Key the application in NC FAST. See Job Aid, Energy – Initial/New LIEAP Application to Case Job. A system generated notice of eligibility is mailed or given to the applicant.

2. Incomplete

The application is incomplete if all the questions have not been answered and documented or it is not signed, or telephonic signature has not been completed.

a. Telephone Call

(1) If the information needed to complete the application can be obtained by telephone, call the applicant.

(2) Document the telephone call and the information received in the case record.

b. DSS-8185, Notice of Incomplete Application



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- (1) List on the form DSS-8185 the information needed to complete the application. Inform the household the completed application must be returned within 10 business days. Also, inform the household that approval will be based on availability of funds at disposition. Record the due date on the DSS-8185; **and**
- (2) Document on the log or in the case record the date you sent the DSS-8185. Keep a copy of the DSS-8185 in the case file.

**B. Requested Information Returned**

When all the requested information is received:

1. Document in the case record the date you received the requested information.
2. Determine if any changes have been reported.
  - a. If **no** changes are reported, process the application within 10 business days.

**Example:** LIEAP application is submitted on 3/1/2021 and no verification is required. This application due date is 3/15/2021, 10 business days from the application date.

- b. If changes are reported, determine if the change affects eligibility or benefit level. Applications must be processed within 10 business days from the application date. If information is required, contact the household by phone to resolve the change. If unable to contact the household by phone, send the household a DSS-8185 requesting the information. Allow household 10 business days to provide information. Once information is received proceed with processing.

**Example:** LIEAP application is submitted on 3/1/2021 and information is required. Case worker does not review the application until 3/8/2021. (5 business days later) and sends out 8185 requesting information. Deadline to return requested information is 3/22/2021 (10 business days from 3/8/2021). Application due date is 3/29/2021 (20 days from application date).

If information is not received, deny the application on the 11<sup>th</sup> day.

If the change does not affect the eligibility or benefit level, document the received change information in NC FAST and process the application within 10 business days.

**C. Actions to Take If You Receive an Application after the Deadline**

You must:



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1. Verbally or in writing notify the applicant that the application was received **after** the deadline, and it will not be processed; and
2. Document your verbal contact with the applicant or file a copy of the letter in the case record.
3. You may, for easy reference, maintain a log of all applications received after the deadline.

**300.07 ELIGIBILITY CRITERIA**

Eligibility for the Low-Income Energy Assistance Program is based on certain non-financial and financial requirements. Each applicant's household must meet all requirements. Eligibility criteria is discussed in Sections 300.08 through 300.10, and 300.13.

**300.08 VULNERABILITY**

To be eligible, a household must be vulnerable at the time of application. A household is vulnerable if it has a heating source billed separately and it is subject to the rising cost of heating for the heat expense. Accept the applicant's statement about the vulnerability status for the household.

1. If a household lives in a private living arrangement with a heating source and heat costs are billed separately, it is fully vulnerable.
2. If a household lives in public housing where heat costs are billed separately from the rent, it is fully vulnerable.
3. An applicant who lives in a private living arrangement who does not receive a separate bill from the energy provider, they are not vulnerable.
4. A household living in public housing where utilities for heat are billed separately from the rent or where utilities for heat are included in the rent, and the household has paid an excess in utilities for heat in the last 12 months at the current address, is fully vulnerable. County needs to have the public housing/housing authority sign a vendor contract for the payment check to be written to them directly or the public housing/housing authority needs to provide the account number for the household applying for benefits. For additional verification of a heating arrangement in public housing, contact the local public housing authority.
5. A person living in an institution is not vulnerable.

**NOTE:** Receipt of a utility allowance does not affect vulnerability status. Section 8 households are considered in a private living arrangement.

If an applicant is living in another arrangement which is not listed above, contact the Economic and Family Services Section for assistance at 919-527-6300 or [dss.policy.questions@dhhs.nc.gov](mailto:dss.policy.questions@dhhs.nc.gov)

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**300.09 INCOME & DEDUCTIONS**

Households meet income eligibility if the total household members' countable income for the base period (month(s) prior to application) is equal to or less than 130% of the current poverty level. Households containing individuals in the elderly population age 60 and above with income up to one hundred fifty percent (150%) of the federal poverty level and disabled persons receiving services through the Division of Aging and Adult Services. Households with this special population will meet income eligibility if the total household members' countable income for the base period (month(s) prior to application) is equal to or less than 150% of the current poverty level.

A. Income

Income verification obtained from other sources such as Food and Nutrition Services (FNS), Medicaid (MA) or Work First Family Assistance (WFFA) can be used to verify income if it is current, representative and from the applicant's current employer. If the income is not current and representative, the income becomes questionable, and verification is required.

Online Verification System (OVS) must be run in NC FAST and can be used if income is current and representative. Representative means taking the OVS income and calculating the monthly amount. If this amount is comparable to the amount the client states, they received in the last 30 days then consider it representative and use this income as verification. If OVS does not return expected data, then the use of Online Verification (OLV) is allowed.

Other acceptable forms of verification such as but not limited to check stubs, a wage verification form completed by the employer, or statements from employer. Client statement can be used as a last resort. An example of use of client's statement would be if the applicant's employer went out of business or moved out of town and the applicant is not able to provide wage verification. Documentation of efforts should be included to support accepting client's statement as the last resort.

Document the income verification used in NC FAST. This information should be uploaded in NC FAST.

Refer to the following Food and Nutrition Services Manual sections for types of income to count, how to verify income and budgeting guidance to apply:

- FNS 300 Sources of Income
- FNS 305 Rules for Budgeting Income
- FNS 315 Special Budgeting Income
- **FNS 310 Budgeting New, Changed, and Terminated Income**
- **FNS 350 Whose Income is Counted**

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**NOTE:** FNS base periods and income conversions do not apply to LIEAP. LIEAP base period is the month prior to the month of application. Income calculations are actual income received in the base period.

**B. Deductions**

**1. Child & Adult Care Expenses.**

- a) Determine whether a household member has out of the pocket childcare expenses in the base period. If so, allow the full amount of out-of-pocket expenses to be paid to the day care provider. Do not allow any amount to be paid by or reimbursed by other parties.
- b) Verify actual childcare costs paid in the base period for each household member with earned income. This includes additional transportation expenses incurred because of transporting Energy members to and from the dependent care provider. When determining the mileage incurred to provide dependent care transportation, do not include the normal mileage incurred by the Energy unit to go to and from work. Only allow the dependent care transportation expense for the additional mileage incurred by the Energy unit. Allowable mileage is the current business IRS mileage rate. Verify childcare by seeing a receipt or canceled check or by contacting the childcare provider.

**2. Child Support Deductions.**

- a) Determine whether a household member is required to pay legally obligated child support to a non-household member. Legally obligated child support is:
  - i. Court ordered; or
  - ii. Ordered through an administrative process (such as IV-D); or
  - iii. Ordered through a legally enforceable separation agreement.
- b) Take the following steps when a household member report paying legally obligated child support to a non-household member.
- c) Verify the child support amount actually paid (including arrearages) in the base period by the household member. Verify by ACTS inquiry, statement from receiving parent, canceled checks, and money orders. Document all verifications on the application in the Energy System.
- d) Allow as a deduction the child support is actually paid (including arrearages) by the household member. This includes court ordered payments or rent, mortgage, or other shelter expenses to the custodial parent and child in lieu of child support and court ordered payments for health insurance coverage for the child.

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- e) Do not allow a child support deduction for alimony payments, spousal support payments, or property settlement payments paid by a household member.
  - f) Enter the allowable amount of the legally obligated child support deduction into the Data Entry System. The system will automatically deduct the amount from the household's income when determining eligibility.
3. Earned Income Deductions.
- a) The Energy System allows automatically for each household member with earned income the standard deduction from the table below for all types of earned income including farm, self-employment, and rental income. (The table includes an allowance for hospital insurance premiums, FICA, State retirement, etc.)

<b>Gross Income Level</b>	<b>Standard Deduction</b>
\$1 - \$50	\$10
\$51 - \$100	\$20
\$101 - \$150	\$30
\$151 - \$200	\$40
\$201 - \$300	\$60
\$301 - \$400	\$80
\$401 +	20%

4. Standard Medical Deduction for Specified Persons.
- a) Each specified person will receive a standard medical deduction of \$85, regardless of whether they have an expense. A specified person is an individual 60 years of age or older, or one of the following:
    - i. Who receives SSI or disability or blindness payments under Title one, two, fourteen or sixteen of the Social Security Act. These individuals may have been approved but have not received their initial payment.
    - ii. Who receives VA disability for a 100% service or non -service connected disability.
    - iii. Is a disabled surviving spouse or disabled surviving child of a Veteran.
    - iv. Receives disability retirement benefits from a State, county, or local government agency due to a disability considered permanent under Section 221 of the Social Security Act.

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- v. Is receiving a pension from Railroad Retirement Act of 1974 and determined to be eligible to receive Medicare.
  - vi. Who receives Federal Employees Compensation Act payments due to a disability considered permanent under the Social Security Act.
  - vii. Receives Medicaid based on disability.
  - viii. Receives SSI based on presumptive eligibility.
5. Self-Employment Expenses.

Include but are not limited to:

- Taxes required to operate the business.
- License and permit fees.
- Interest on business debts, including mortgages and loans necessary for producing income.
- Principal on loans used to purchase income producing equipment and property. (FNS & Energy Programs only)
- Rent payments (not for home-based businesses, except that part allowed as a deduction by the IRS)
- Insurance associated with operating the business.
- Labor costs related to the business.
- Utilities costs to the business.
- Repairs and maintenance related to the business.
- Cost of products, materials and supplies required to operate the business.
- Business-related transportation costs as allowed by the IRS.
- Actual costs of providing meals as part of the business, such as child or elder care.
- Accounting, advertising, and legal costs.

<b>No. Eligible in Household</b>	<b>Maximum Countable Income 130%</b>	<b>No. Eligible In Household</b>	<b>Maximum Countable Income</b>
1	\$1,580	14	\$8,818
2	\$2,136	15	\$9,375
3	\$2,693	16	\$9,932
4	\$3,250	17	\$10,489
5	\$3,807	18	\$11,046
6	\$4,364	19	\$11,603
7	\$4,921	20	\$12,159

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8	\$5,477	21	\$12,716
9	\$6,034	22	\$13,273
10	\$6,591	23	\$13,830
11	\$7,148	24	\$14,387
12	\$7,705	25	\$14,944
13	\$8,262	26	\$15,500

<b>No. Eligible in Household</b>	<b>Maximum Countable Income 150% (special population)</b>	<b>No. Eligible In Household</b>	<b>Maximum Countable Income</b>
1	\$1,823	14	\$10,175
2	\$2,465	15	\$10,818
3	\$3,108	16	\$11,460
4	\$3,750	17	\$12,103
5	\$4,393	18	\$12,745
6	\$5,035	19	\$13,388
7	\$5,678	20	\$14,030
8	\$6,320	21	\$14,673
9	\$6,963	22	\$15,315
10	\$7,605	23	\$15,958
11	\$8,248	24	\$16,600
12	\$8,890	25	\$17,243
13	\$9,533	26	\$17,885

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If there are more than 26 in a household contact the Economic and Family Services Section at (919) 527-6300 or [dss.policy.questions@dhhs.nc.gov](mailto:dss.policy.questions@dhhs.nc.gov) for the maximum countable monthly income.

**300.10 HOUSEHOLDS WITH AN INELIGIBLE ALIEN**

A. Computation of Gross Countable Income

1. Follow instructions in the appropriate section to determine the gross countable income household members.

To determine who is a qualified or non-qualified alien, please refer to Section 225 of the Food and Nutrition Services Certification Manual.

2. To compute countable income of an ineligible alien (if it is determined not to be terminated income) you must:

- a. Qualified Ineligible Aliens

Include this member's prorated countable gross income. For instructions on proration, refer to section d below.

- b. Treatment of Income of Non-Qualified Ineligible Aliens

Count all the non-qualified ineligible alien's income when applying the manual gross income test for eligibility purposes; do not include the nonqualified ineligible alien in the household size. If the household's income exceeds the gross income test, deny the application.

**EXAMPLE:** A LIEAP Unit consists of four people. The head of household, who is an undocumented alien, is employed and has earnings that exceed the maximum income level for a household of three. Deny the application.

If the household's income does not exceed the gross income level, include this member's prorated countable gross income. For instructions on proration, refer to section d below.

- c. Determine if the ineligible alien paid room/board in the base period to the LIEAP household. Exclude the room/board payment from the ineligible alien's gross income since the room/board payment is counted as income for another LIEAP household member. The exclusion cannot exceed the amount of the room/board income.
- d. Divide the gross countable income of each ineligible alien by the total number in the household [including the ineligible alien(s)]. This is each person's pro rata share.
- e. Multiply the pro rata share amount by the number of eligible household members in the LIEAP budget. This figure is the prorated amount to count in the budget for the ineligible alien(s).



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**EXAMPLE:** A household consists of seven people. The household contains two ineligible aliens. One is employed and earns \$700 per month. The other has \$70 unearned income per month.

**Ineligible Alien 1:**

\$700 divided by 7 = \$100 (pro rata share)

\$100 x 5 (eligible household members) = \$500

\$500 = Income of this ineligible alien to be counted for remaining eligible household members in the LIEAP budget. This is the prorated amount.

**Ineligible Alien 2:**

\$70 divided by 7 = \$10 (pro rata share)

\$10 x 5 (eligible household members) = \$50

\$50 = Income of this ineligible alien to be counted for remaining eligible household members in the LIEAP budget. This is the prorated amount.

3. Terminated Income

If an ineligible alien's income has terminated, see **300.10** above to determine the amount of gross income. Prorate this amount. (See A., 2. d. above for instructions on how to prorate.)

B. Deductions

1. Do not allow a medical deduction for an ineligible alien, even if he is a specified person.
2. NC FAST **automatically** deducts the standard work-related expenses using the table in **VIII. B.** above. The standard work-related deduction is based on the prorated income counted in the LIEAP budget.

**EXAMPLE:** A household consists of three people (one of which is an ineligible alien). The ineligible alien has \$300 gross wages. Count \$200 of his gross wages in the LIEAP budget. The standard deduction would be \$40. (This is based on the \$200 that is counted in the LIEAP budget.)

3. If paid by an ineligible alien.

Prorate the monthly childcare costs used to determine the current benefit or payment. See example below for instructions on how to prorate.

**EXAMPLE:** To prorate, you must:

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Divide the amount (childcare, etc.) by the total number in the household [including the ineligible alien(s)]

Multiply this amount by the number of eligible household members. This is the prorated amount (childcare deduction, etc.)

A household consists of three people (one of which is an ineligible alien). The ineligible alien has paid \$60 in childcare costs.

\$60 divided by 3 = \$20 (pro rata share)

\$20 x 2 (eligible household members) = \$40

\$40 = allowable childcare costs

**300.11 RESOURCES**

**Note: Resources will not be counted for FY 2024**

Household members meet the resource requirement if the total household members' countable resources are \$2,250 or less as of the date of the application.

Accept the household's statement unless questionable. A resource is considered questionable when there is reason to believe that the reported value is incorrect. When determining the value of a checking or savings account, subtract any outstanding withdrawals and any funds remaining that were counted as income in the LIEAP application. When verifying assets, document on the DSS-8116. Allow the client ten (10) business days to provide verification of stated resources. Verification of resources should be requested using the form DSS-8185.

Ineligible aliens' assets shall be countable towards the household's total resources.

If the Household's resources exceed \$2,250, deny the application.

**COUNTABLE AND NON-COUNTABLE RESOURCE ITEMS**

RESOURCE ITEMS	COUNTABLE	
	YES	NO
Cash on hand	X	
The current balance of savings account (s)	X	
That portion of checking or savings account other than the monthly income deposited to meet the household's needs.	X	
Stocks, bonds, mutual fund shares, and savings certificates.	X	
Funds in a retirement account that are accessible (such as 401K, NC State Retirement, etc.)	X	

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Funds in a retirement account that are accessible, including IRA and Keogh Plans	X	
Revocable trust funds.	X	
Life estate and remainder interest, if saleable or non-saleable		X
Net proceeds from a business, including a farm, which has been discontinued.	X	
Equity in real property not used as a home or income producing	X	
Federal Emergency Management Assistance or Disaster Assistance		X
Household or personal belongings (includes essential and non-essential personal property)		X
Motor vehicles		X
Primary residence, including mobile home, and all contiguous property		X
Income producing property		X
Insurance (including burial, term, and whole life cash values)		X
Value of prepaid burial contracts		X
Value of burial plots		X
Savings of a student under age 18 who is saving his money for school expenses		X
Relocation assistance payments		X
The portion of monthly income deposited in a checking account to meet monthly needs		X
Non-saleable life estate or remainder interest		X
Heirs' property		X
HUD community development block grants		X

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Real property (land or buildings) including mobile homes		X
The remaining balance of any lump sum payment received prior to the month of application	X	

**300.12 BENEFIT DETERMINATION AND METHOD OF PAYMENT**

- A. Benefits are based on the household's size and income at the time of application. The income limit is 130% of the federal poverty level. To determine benefit levels, the income limit is broken down into two categories so that families with the lowest incomes receive the higher benefit. There are three benefit level amounts designated according to household size and income. Households that heat with coal and/or wood will receive a benefit of \$300 regardless of household size; however, the income will still need to be at or below the 130% income limit.

Benefits are paid directly to energy providers who have an approved energy provider agreement on file with the county. Counties may want to establish additional agreements with the energy providers, such as a promise to pay, purchase order, etc. for households whose primary heat source is kerosene, fuel oil and the like.

If a county has a LIEAP balance of \$500 or less, approval for an even \$200, \$300, \$400, or \$500 may be given. Partial payments such as an amount of \$70 or \$100 for LIEAP are not allowed.

If a household moves and leaves a credit balance with the energy provider, settlement of the credit is between the household and the energy provider. If the energy provider is aware of the household's new energy provider, the credit balance can be forwarded to the new energy provider. If the energy provider is unable to contact the household to settle a credit balance, the county is responsible for trying to locate the household. If the county is unable to locate the household, the credit balance should be returned to the local county agency. The local county agency would return the funds **for current and prior fiscal year in NC FAST, for returns outside of the specified period the county would return the funds** to the controller's office via the DSS-1571 and notify DSS automation at 919-527-6270 to credit the county's funds in NC FAST.

**NOTE:** Explain to applicant that if the household moves or ends service prior to the energy provider receiving payment and a credit balance is the result, the household should contact the old energy provider with the new energy provider information so payment can be forwarded.

**LIEAP Supplement payments can be applied to new or old accounts that are active or closed. Regular LIEAP payments can only be applied to active accounts. Closed accounts are not subject to the**

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rising cost of heating. If a client needs assistance to pay for a closed account to reestablish service, the client will need to apply for CIP and be fully vulnerable for CIP benefits.

B. The chart below reflects the benefit levels based on household size and income category.

*Income Ranges by Family Size*

**Percentages of 130% Poverty Income Limit**

Household Size	0 – 50% (Represents 0 - 75% of 100%)	51% - 100% (Represents 76 - 130% of 100%)
Payment Amount	\$400.00	\$300
1	\$0-\$790	\$791-\$1,580
2	\$0-\$1,068	\$1,069- \$2,136
3	\$0-\$1,347	\$1,348- \$2,693
Payment Amount	\$500	\$400.00
4	\$0-\$1,625	\$1,626- \$3,250
5	\$0-\$1,903	\$1,904- \$3,807
6	\$0-\$2,182	\$2,183- \$4,364
7	\$0-\$2,460	\$2,461- \$4,921
8	\$0-\$2,739	\$2,740-\$5,477
9	\$0-\$3,017	\$3,018- \$6,034
10	\$0-\$3,296	\$3,297- \$6,591
11	\$0-\$3,574	\$3,575- \$7,148
12	\$0-\$3,852	\$3,853- \$7,705
13	\$0-\$4,131	\$4,132- \$8,262
14	\$0-\$4,409	\$4,410- \$8,818
15	\$0-\$4,688	\$4,689- \$9,375

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16	\$4,966	\$4,967- \$9,932
17	\$5,244	\$5,245- \$10,489
18	\$5,523	\$5,524- \$11,046
19	\$5,801	\$5,802- \$11,603
20	\$6,080	\$6,081- \$12,159
21	\$6,358	\$6,359- \$12,716
22	\$6,637	\$6,638- \$13,273
23	\$6,915	\$6,916- \$13,830
24	\$7,193	\$7,194- \$14,387
25	\$7,472	\$7,473- \$14,944
26	\$7,750	\$7,751- \$15,500
<b>Households heating with Coal and/or Wood will receive \$300.00</b>		

**Percentages of 150% Poverty Income Limit**

Household Size	0 – 50% (Represents 0 - 75% of 100%)	51% - 100% (Represents 76 - 130% of 100%)
Payment Amount	\$400.00	\$300
1	\$0-\$911	\$912-\$1,823
2	\$0-\$1233	\$1,234-\$2,465
3	\$0-\$1,554	\$1,555- \$3,108
Payment Amount	\$500	\$400.00
4	\$0-\$1,875	\$1,876-\$3,750
5	\$0-\$2,196	\$2,197-\$4,393
6	\$0-\$2,518	\$2,519-\$5,035
7	\$0-\$2,839	\$2,840-\$5,678
8	\$0-\$3,160	\$3,161-\$6,320

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9	\$0-\$3,481	\$3,482-\$6,963
10	\$0-\$3,803	\$3,804-\$7,605
11	\$0-\$4,124	\$4,125-\$8,248
12	\$0-\$4,445	\$4,446-\$8,890
13	\$0-\$4,766	\$4,767-\$9,533
14	\$0-\$5,088	\$5,089-\$10,175
15	\$0-\$5,409	\$5,410-\$10,818
16	\$0-\$5,730	\$5,731-\$11,460
17	\$0-\$6,051	\$6,052-\$12,103
18	\$0-\$6,373	\$6,374-\$12,745
19	\$0-\$6,694	\$6,695-\$13,388
20	\$0-\$7,015	\$7,016-\$14,030
21	\$0-\$7,336	\$7,337-\$14,673
22	\$0-\$7,658	\$7,659-\$15,315
23	\$0-\$7,979	\$7,980-\$15,958
24	\$0-\$8,300	\$8,301-\$16,600
25	\$0-\$8,621	\$8,622-\$17,243
26	\$0-\$8,943	\$8,945-\$17,885

**300.13 PAYMENTS FOR DECEASED, INCARCERATED, OR INSTITUTIONALIZED PAYEES**

If an applicant becomes deceased after a LIEAP payment has been made to the energy provider and the payment results in a credit, the county should verify if there are any other adults remaining in the household. If so, the credit will remain. If there are no other adults residing in the applicant's household, the energy provider is responsible for returning the credit amount to the local county agency. The county will forward the payment amount with a cover letter giving identifying information, reason why submitted, and date of death if known, to the Clerk of Court to be applied to the deceased payee's estate.



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If no administrator has been appointed to the applicant's estate, the Clerk of Court disburses the funds as follows:

- Provide for spouse's and children's needs for the year as allowed by law.
- Pay or reimburse others for funeral expenses up to a maximum of \$2,000.
- Pay or reimburse others for hospital, medical, and physician's bills incurred during the individual's last illness (not to exceed a period of 12 months).
- Pay the balance to the surviving spouse or to the heirs if there is no spouse.

If the Clerk of Court returns a check to the local county agency and states the payee's estate has been settled, the local county agency would refer to job aid Energy-Overpayment Underpayments in NC FAST Help to process funds that have been returned.

If a LIEAP payment is made to an energy provider and it results in a credit due to the applicant becoming incarcerated or institutionalized and there are no other adults in the home; the energy provider is responsible for returning the payment amount to the local county agency. The local county agency would refer to job aid Energy-Overpayment Underpayments in NC FAST Help to process funds that have been returned.

### **300.14 RETURN PAYMENTS**

The only time a LIEAP payment is subject to return is at the discretion of the provider, once the balance is paid and a credit is remaining, if the provider does not allow credits that credit amount will be issued back to the County DSS office.

If the payment is returned in the current fiscal year or the previous fiscal year from when it was issued, counties will complete the return/overpayment process in NC FAST. If this is a return payment from a fiscal year outside of that allowable time frame, the county will complete this outside of NC FAST on a 1571 with a negative entry and a note on the case in NC FAST referencing the fiscal year of the returned payment for monitoring purposes.

Regular partial return payments can be entered in NC FAST. Returned partial payments for supplement payments cannot be entered in NC FAST. These must be completed on a 1571.

### **300.15 Vendor Responsibility**

The vendor delivering the fuel source for the customer is responsible for ensuring the heating source in the home meets all state and federal codes. If the vendor feels like the heating sources do not meet these requirements, they have the right to refuse to provide fuel to the home. The county can inquire if the home has another heating source to apply the benefit amount to.