

Policy Clarifications

LIHEAP - All

PLA-19692-610

Submitted: 12/04/2019

Agency: CAOs

Subject: LIHEAP Eligibility for Individuals Living in Home and Community Based Services (HCBS)

Question: If an HCBS agency applies on behalf of an individual who has signed a Room and Board Contract based on a fixed percentage of their income, are they still eligible to receive LIHEAP?

Response By: Division of Federal Programs/LIHEAP

Date: 12/13/2019

No, these individuals are not eligible for LIHEAP if the Room and Board Contract is based on a fixed percentage of the applicant's income. This living situation equates to subsidized housing. Subsidized housing tenants are ineligible for LIHEAP if their rent charge includes an undesignated amount for heat and is based on a fixed percentage of their income or on their source of income (See LIHEAP Handbook 619.1).

HCBS agencies are required by their regulations to apply for certain benefits on behalf of their clients. This does not mean the client is eligible for the benefit.

Some HCBS agencies are reporting that the client is responsible for heating costs. However, PA 55 Code defines "Room", of Room and Board, as "a participant's share of lodging costs which includes utility costs such as electricity, heating, water and sewage." Since the applicant has a Room and Board Contract, their heat is included with their rent, making them ineligible since their rent is based on a fixed percentage of their income.

If CAOs are presented with an application in which the applicant is not "renting with heat included" (this would be someone without a Room and Board Contract), the CAO must investigate the living arrangement within the home to determine the appropriate household composition, living arrangement, heating responsibility, and

eligibility. These applicants are often living in group situations and due diligence by the CAO is necessary.

A sample Room and Board Contract is attached for reference. Any additional questions regarding these situations should be sent to RA-LiheapTrainPol@pa.gov.

[Attachment- Room and Board Contract](#)