

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)

DETAILED MODEL PLAN

PUBLIC LAW 97-35, AS AMENDED

FISCAL YEAR (FY) 2011

GRANTEE Virginia Department of Social Services (VDSS)

EIN: 54-0959533

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PLEASE CHECK ONE: TRIBE _____ STATE X INSULAR AREA _____

Department of Health and Human Services
Administration for Children and Families
Office of Community Services
Washington, DC 20447

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01

OMB Approval No. 0970-0075

Expiration Date: 09/30/2011

THE PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13)

Use of this model plan is optional. However, the information requested is required in order to receive a Low Income Home Energy Assistance Program (LIHEAP) grant in years in which the grantee is not permitted to file an abbreviated plan. Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Assurances

The Commonwealth of Virginia agrees to:
(Grantee Name)

(1) use the funds available under this title to--

(A) conduct outreach activities and provide assistance to low income households in meeting their home energy costs, particularly those with the lowest incomes that pay a high proportion of household income for home energy, consistent with paragraph (5);

(B) intervene in energy crisis situations;

(C) provide low-cost residential weatherization and other cost-effective energy-related home repair; and

(D) plan, develop, and administer the State's program under this title including leveraging programs,

and the State agrees not to use such funds for any purposes other than those specified in this title;

(2) make payments under this title only with respect to--

(A) households in which one or more individuals are receiving--

(i) assistance under the State program funded under part A of title IV of the Social Security Act;

(ii) supplemental security income payments under title XVI of the Social Security Act;

(iii) food stamps under the Food Stamp Act of 1977; or

(iv) payments under section 415, 521, 541, or 542 of title 38, United States Code, or under section 306 of the Veterans' and Survivors' Pension Improvement Act of 1978; or

(B) households with incomes which do not exceed the greater of—

(i) an amount equal to 150 percent of the poverty level for such State; or

(ii) an amount equal to 60 percent of the State median income;

except that a State may not exclude a household from eligibility in a fiscal year solely on the basis of household income if such income is less than 110 percent of the poverty level for such State, but the State may give priority to those households with the highest home energy costs or needs in relation to household income.

(3) conduct outreach activities designed to assure that eligible households, especially households with elderly individuals or disabled individuals, or both, and households with high home energy burdens, are made aware of the assistance available under this title, and any similar energy-related assistance available under subtitle B of title VI (relating to community services block grant program) or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

(4) coordinate its activities under this title with similar and related programs administered by the Federal Government and such State, particularly low-income energy-related programs under subtitle B of title VI (relating to community services block grant program), under the supplemental security income program, under part A of title IV of the Social Security Act, under title XX of the Social Security Act, under the low-income weatherization assistance program under title IV of the Energy Conservation and Production Act, or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

(5) provide, in a timely manner, that the highest level of assistance will be furnished to those households which have the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size, except that the State may not differentiate in implementing this section between the households described in clauses 2(A) and 2(B) of this subsection;

(6) to the extent it is necessary to designate local administrative agencies in order to carry out the purposes of this title, to give special consideration, in the designation of such agencies, to any local public or private nonprofit agency which was receiving Federal funds under any low-income energy assistance program or weatherization program under the Economic Opportunity Act of 1964 or any other provision of law on the day before the date of the enactment of this Act, except that—

(A) the State shall, before giving such special consideration, determine that the agency involved meets program and fiscal requirements established by the State; and

(B) if there is no such agency because of any change in the assistance furnished to programs for economically disadvantaged persons, then the State shall give special consideration in the designation of local administrative agencies to any successor agency which is operated in substantially the same manner as the predecessor agency which did receive funds for the fiscal year preceding the fiscal year for which the determination is made;

(7) if the State chooses to pay home energy suppliers directly, establish procedures to --

(A) notify each participating household of the amount of assistance paid on its behalf;

(B) assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment made by the State under this title;

(C) assure that the home energy supplier will provide assurances that any agreement entered into with a home energy supplier under this paragraph will contain provisions to assure that no household receiving assistance under this title will be treated adversely because of such assistance under applicable provisions of State law or public regulatory requirements; and

(D) ensure that the provision of vendor payments remains at the option of the State in consultation with local grantees and may be contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households, including providing for agreements between suppliers and individuals eligible for benefits under this Act that seek to reduce home energy costs, minimize the risks of home energy crisis, and encourage regular payments by individuals receiving financial assistance for home energy costs;

(8) provide assurances that,

(A) the State will not exclude households described in clause (2)(B) of this subsection from receiving home energy assistance benefits under clause (2), and

(B) the State will treat owners and renters equitably under the program assisted under this title;

(9) provide that--

(A) the State may use for planning and administering the use of funds under this title an amount not to exceed 10 percent of the funds payable to such State under this title for a fiscal year; and

(B) the State will pay from non-Federal sources the remaining costs of planning and administering the program assisted under this title and will not use Federal funds for such remaining cost (except for the costs of the activities described in paragraph (16));

(10) provide that such fiscal control and fund accounting procedures will be established as may be necessary to assure the proper disbursement of and accounting for Federal funds paid to the State under this title, including procedures for monitoring the assistance provided under this title, and provide that the State will comply with the provisions of chapter 75 of title 31, United States Code (commonly known as the "Single Audit Act");

(11) permit and cooperate with Federal investigations undertaken in accordance with section 2608;

(12) provide for timely and meaningful public participation in the development of the plan described in subsection (c);

(13) provide an opportunity for a fair administrative hearing to individuals whose claims for assistance under the plan described in subsection (c) are denied or are not acted upon with reasonable promptness; and

(14) cooperate with the Secretary with respect to data collecting and reporting under section 2610.

(15) * beginning in fiscal year 1992, provide, in addition to such services as may be offered by State Departments of Public Welfare at the local level, outreach and intake functions for crisis situations and heating and cooling assistance that is administered by additional State and local governmental entities or community-based organizations (such as community action agencies, area agencies on aging and not-for-profit neighborhood-based organizations), and in States where such organizations do not administer functions as of September 30, 1991, preference in awarding grants or contracts for intake services shall be provided to those agencies that administer the low-income weatherization or energy crisis intervention programs.

*** This assurance is applicable only to States, and to territories whose annual regular LIHEAP allotments exceed \$200,000. Neither territories with annual allotments of \$200,000 or less nor Indian tribes/tribal organizations are subject to Assurance 15.**

(16) use up to 5 percent of such funds, at its option, to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance, including needs assessments, counseling, and assistance with energy vendors, and report to the Secretary concerning the impact of such activities on the number of households served, the level of direct benefits provided to those households, and the number of households that remain unserved.

Certification to the Assurances: As Chief Executive Officer, I agree to comply with the sixteen assurances contained in Title XXVI of the Omnibus Budget Reconciliation Act of 1981, as amended.* By signing these assurances, I also agree to abide by the standard assurances on lobbying, debarment and suspension, and a drug-free workplace.

Signature of the Tribal or Board Chairperson or Chief Executive Officer of the State or Territory.**

Signature: _____

Title: Director, Division of Benefit Programs

Date: _____

*** Indian tribes/tribal organizations, and territories with annual regular LIHEAP allotments of \$200,000 or less, are not subject to assurance 15, and thus must only certify to 15 assurances.**

**** If a person other than the Chief Executive Officer of the State or territory, or Tribal Chairperson or Board Chairperson of a tribal organization, is signing the certification to the assurances, a letter must be submitted delegating such authority. (PLEASE ATTACH DELEGATION of AUTHORITY.) The delegation must include authority to sign the assurances, not just to administer the program.**

***** HHS needs the EIN (Entity Identification Number) of the State, territory or Tribal agency that is to receive the grant funds before it can issue the grant.**

In the above assurances which are quoted from the law, "State" means the 50 States, the District of Columbia, an Indian Tribe or Tribal Organization, or a Territory; "title" of the Act refers to Title XXVI of the Omnibus Budget Reconciliation Act of 1981 (OBRA), as amended, the "Low Income Home Energy Assistance Act"; "section" means Section 2605 of OBRA; and, "subsection" refers to Section 2605(b) of OBRA.

statutory
references

2605(a)

2605(b)(1) → Please check which components you will operate under the LIHEAP program. (Note: You must provide information for each component designated here as requested elsewhere in this plan.)

Dates of Operation

(use of
funds)

 x heating assistance

Walk-in period: 2nd Tuesday in October through the 2nd Friday in November; pre-printed applications are mailed to prior year recipients in late September

 x cooling assistance

June 15 through August 15

 x crisis assistance

November 1 through March 15

 x weatherization assistance

October 1 through September 30

2605(c)(1)(C) → Please estimate what amount of available LIHEAP funds will be used for each component that you will operate: **The total of all percentages must add up to 100%.**

(use of
funds)

 55 % heating assistance

 10 % cooling assistance

 9 % crisis assistance

2605(k)(1) 15 % weatherization assistance

 % carryover to the following fiscal year

2605(b)(9) 10 % administrative and planning costs

2605(b)(16) .92 % services to reduce home energy needs including needs assessment (assurance 16)

 .08 % used to develop and implement leveraging activities (limited to the greater of 0.08% or \$35,000 for States, the greater of 2% or \$100 for territories, tribes and tribal organizations).

 100 % **TOTAL**

statutory
references

2605(c)(1)(C)

→The funds reserved for winter crisis assistance that have not been expended by March 15 will be reprogrammed to:

(alternate use
of crisis assistance
funds)

_____ heating assistance

x cooling assistance

_____ weatherization assistance

_____ Other(specify):

→Do you accept applications for energy crisis assistance at sites that are geographically accessible to all households in the area to be served? (This is required by the statute.)

Yes x No _____

2605(b)(2)

2605(c)(1)(A)

→What are your maximum eligibility limits?
(Please check the components to which they apply.)
Current year guidelines must be used.

(eligibility)

_____ 150% of the poverty guidelines:
heating _____ cooling _____ crisis _____ wx _____

_____ 125% of the poverty guidelines:
heating _____ cooling _____ crisis _____ wx _____

_____ 110% of the poverty guidelines:
heating _____ cooling _____ crisis _____ wx _____

x 60% of the State's median income:
heating _____ cooling _____ crisis _____ wx x

x Other (specify for each component)

130 percent of the federal poverty limit/guideline for heating, crisis and cooling components

_____ Households automatically eligible if one person is receiving
_____ TANF, _____ SSI, _____ Food Stamps, _____ Certain means-tested veterans
programs (heating _____ cooling _____ crisis _____ wx _____)

statutory
references

2605(c)(1)(A)
2605(b)(2)
(eligibility)

→Do you have additional eligibility requirements for:
HEATING ASSISTANCE (x Yes No)

→Do you use:	<u>Yes</u>	<u>No</u>
Assets test?	<u> </u>	<u> x </u>

→Do you give priority in eligibility to:

Elderly?	<u> </u>	<u> x </u>
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Disabled?	<u> </u>	<u> x </u>
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Young children?	<u> </u>	<u> x </u>
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Other: (If Yes, please describe)	<u> x* </u>	<u> </u>
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***Although, priority is not given to households which include vulnerable individuals (elderly, disabled or a child under the age of six), the Energy Assistance Program (EAP) automated system assigns points according to vulnerability status, awarding the highest value to whichever condition is present, resulting in a weighted benefit.**

statutory
references

2605(c)(1)(A)

2605(b)(2)

→Do you have additional eligibility requirements for:
COOLING ASSISTANCE (x Yes No)

(eligibility)

→Do you use:	<u>Yes</u>	<u>No</u>
Assets test?	<u> </u>	<u> x </u>

→Do you give priority in eligibility to:

Elderly?	<u> x </u>	<u> </u>
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Disabled?	<u> x </u>	<u> </u>
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Young children?	<u> x </u>	<u> </u>
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Other: (If Yes, please describe)	<u> </u>	<u> </u>
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***To be eligible for Cooling Assistance, the household must contain at least one individual aged 60 or over, disabled or a child under the age of six.**

statutory
references

2604(c)
2605(c)(1)(A)

→Do you have additional eligibility requirements for:
CRISIS ASSISTANCE (x Yes No)

(eligibility)

	<u>Yes</u>	<u>No</u>
→Do you use:		
Assets test?	<u> </u>	<u> x </u>
Must the household have received a shut-off notice or have an empty tank?	<u> x* </u>	<u> </u>
Must the household have exhausted regular benefit?	<u> x** </u>	<u> </u>
Must the household have received a rent eviction notice?	<u> </u>	<u> x </u>
Must heating/cooling be medically necessary?	<u> </u>	<u> x </u>
Other (Please explain):	<u> </u>	<u> x </u>

***Note: For certain types of crisis assistance, a disconnection notice or a low supply of deliverable fuel is required.**

****Note: For certain types of crisis assistance, the household must have exhausted their heating benefit.**

→What constitutes a crisis? (Please describe)

The Crisis Assistance component is designed to help households meet energy emergencies that cannot be met by other resources. The emergency may result from a weather related or supply shortage emergency such as; no source of heat, the only heating equipment in the home is inoperable or unsafe or there is a potential no heat situation. Crisis Assistance will be provided when the conditions for providing assistance are met and the assistance will ensure heat for the household. Assistance with the purchase of primary fuel and the payment of the primary utility bills is provided to households who did not receive Heating Assistance or who have exhausted their heating benefit.

statutory
references

2605(c)(1)(A)

→Do you have additional eligibility requirements for:
WEATHERIZATION (Yes No)

(eligibility)

→Do you use:

Yes No

Assets test?

_____ x

Priority groups? (Please list)

_____ x

→Are you using Department of Energy (DOE) Low Income
Weatherization Assistance Program (LIWAP) rules to
establish eligibility or to establish priority eligibility for
households with certain characteristics?

 x _____

→If Yes, are there exceptions?
Please list below.

- 1) Elderly persons;
- (2) Persons with disabilities;
- (3) Families with children;
- (4) High residential energy users; and
- (5) Households with a high energy burden

statutory
references

2605(b)(3)
2605(c)(3)(A)

(outreach)

➔ Please check the outreach activities that you conduct that are designed to assure that eligible households are made aware of all LIHEAP assistance available:

provide intake service through home visits or by telephone for the physically infirm (i.e. elderly or disabled).

place posters/flyers in local and county social service offices, offices of aging, Social Security offices, VA, etc.

publish articles in local newspapers or broadcast media announcements.

include inserts in energy vendor billings to inform individuals of the availability of all types of LIHEAP assistance.

make mass mailing to past recipients of LIHEAP.

inform low income applicants of the availability of all types of LIHEAP assistance at application intake for other low-income programs.

execute interagency agreements with other low-income program offices to perform outreach to target groups.

other (Please specify):

For the Heating, Crisis and Cooling components, the Virginia Department of Social Services (VDSS) provides mail out applications, accepts mail in applications and provides access to applications on the Internet. Applications are accepted at sites that are geographically accessible to all households within the service area. A toll-free telephone number for the hearing impaired is provided.

Every September, the VDSS conducts a mass mailing to current supplemental nutrition assistance program (SNAP) recipients; this mailing includes information on the Heating Assistance Program. Additionally, cases from the Heating Assistance database that match specific criteria with cases in the SNAP database and meet other eligibility criteria will be automatically approved for Heating Assistance. Households that are not pre-approved for Heating Assistance but received Heating, Crisis or Cooling Assistance in the last year are mailed a pre-printed Heating Assistance application. Approximately six percent of the statewide caseload will receive a pre-approval notice instead of a pre-printed application. Over 150,000 households will receive a pre-printed application.

Pre-approved households do not need to reapply but are responsible for reporting any changes to the pre-printed data on their approval notice.

statutory
references
2605(b)(4)

→ Please describe how you will assure that LIHEAP is coordinated with similar and related programs. The description provided applies to all components unless specifically noted.

(coordination)

The grantee is able to cross reference information in the EAP automated system database to identify low-income households for mass mailings. Through contact with other federal, state and community agencies, Virginia coordinates services and activities to low-income households. Local departments of social services (LDSS) in 120 cities and counties are responsible for coordinating programs locally with other community agencies, faith-based organizations and non-profit organizations.

At a minimum, the LIHEAP Weatherization component will be coordinated with the Department of Energy (DOE) Weatherization Assistance Program and other housing rehabilitation programs operated by local weatherization agencies. During the application process or during the onsite estimation for weatherization, the local administrator will inquire and assess for other health and safety needs or problems related to the home and its occupants.

The VDSS provides an Energy Assistance referral list twice yearly to the Department of Housing and Community Development (DHCD) for outreach activities by local weatherization agency projects.

The Virginia General Assembly passed and the Governor signed into law, House Bill 2473 on March 25, 2001 and House Bill 71, March 22, 2002. These laws created the Home Energy Assistance Program (HEAP).

2605(b)(5)
2605(b)(2)
2605(b)(8A)

→ The statute requires that there be no difference in the treatment of households eligible because of their income and those eligible because they receive benefits under TANF, Food Stamps, SSI, or certain means-tested veterans programs ("categorically eligible"). How do you ensure there is no difference when determining eligibility and benefit amounts? This applies to all components unless specifically noted below.

(benefit levels)

Any and all benefits are dependent upon need and availability of federal funds. Benefit levels for the Heating, Crisis and Cooling components are based on the same criteria for all applicants. No distinction is made between types of eligible households.

For the LIHEAP Weatherization component, categorically eligible households that are common to both DOE weatherization and LIHEAP will receive the same consideration as income eligible households in determining when and what benefits can be provided. Weatherization measures undertaken are determined based on an inspection of the unit and the Program's installation standards, not on the households' income source

statutory
reference

HEATING COMPONENT

2605(b)(5) → Please check the variables you use to determine your benefit levels (check all that apply):

(determination
of benefits)

- income
- family (household) size
- home energy cost or need
 - fuel type
 - climate/region
 - individual bill
 - dwelling type
 - energy burden
(% of income spent on home energy)
 - energy need
 - other (describe)

Vulnerability Factors: elderly individuals aged 60 or older, disabled individuals, or a child under six years of age are awarded more points.

2605(b)(5)
2605(c)(1)(B)

(benefit
levels)

→ Describe how you will assure that the highest benefits go to households with the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size.

Please describe benefit levels or attach a copy of your payment matrix.

The EAP automated system will assign a number of points (see Attachment I) to each household which reflects the household’s status with regard to the factors listed above. The more points attributed to a household the larger the benefit. The highest amount of assistance will be provided to those households having the highest energy costs and the lowest monthly income.

→ Do you provide in-kind (e.g., blankets, space heaters) and/or other forms of benefits?

Yes No If Yes, please describe.

statutory
references

2605(b)(5)
2605(c)(1)(B)

COOLING COMPONENT

→ Please check the variables you use to determine your benefit levels (check all that apply):

(determination
of benefits)

- income
 family (household) size
 home energy cost or need
 fuel type
 climate/region
 individual bill
 dwelling type
 energy burden
 (% of income spent on home energy)
 energy need
 other (describe)

Vulnerability Factors: The household must include one of the following: a person 60 years of age or older, a disabled individual or a child under six years of age.

2605(b)(5)
2605(c)(1)(B)

(benefit

→ Describe how you will assure that the highest benefits will go to households with the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size. Please describe levels)

Cooling Assistance recipients must meet the same income criteria as established for the Heating Assistance component. Benefits for Cooling Assistance will be determined based on need and will not exceed the current year maximum. Contracted vendors throughout the Commonwealth will provide services. The statewide maximum benefit for electricity payments will be based on available funding; households may be eligible and approved for payment of their bill up to the program maximum. Households with higher energy costs will receive a higher benefit.

→ Do you provide in-kind (e.g. fans) and/or other forms of benefits?

Yes No If Yes, please describe.

statutory
references

2605(b)(5)
2605(c)(1)(B)

(determination
of benefits)

CRISIS COMPONENT

➔How do you handle crisis situations?

separate component other (please explain)

➔If you have a separate component, how do you determine crisis assistance benefits?

amount to resolve crisis, up to maximum

other (please describe)

(benefit
levels)

➔Please indicate the maximum benefit for each type of crisis assistance offered.

heating \$ 2,500 ** maximum benefit

cooling \$ 0 maximum benefit

year-round \$ 0 maximum benefit

****\$2,500 is the cap for heating equipment repairs, purchases, replacements and provision of supplemental equipment.**

➔Do you provide in-kind (e.g. blankets, space heaters, fans) and/or other forms of benefits?

Yes No

If Yes, please describe.

Statutory references

2605(b)(5)

2605(c)(1)

(B) & (D)

**WEATHERIZATION & OTHER ENERGY RELATED
HOME REPAIR AND IMPROVEMENTS**

→What LIHEAP weatherization services/materials do you provide? (Check all categories that apply.)

(types of
assistance)

- Weatherization needs assessments/audits.
 Caulking, insulation, duct repair, etc.
 Furnace/heating system modifications/repairs
 Furnace replacement
 Cooling efficiency mods/repairs/replacement
 Other (Please describe)

Incidental repairs necessary to complete a weatherization measure i.e. roof repair or replacement; removal of health and safety hazards that are necessary to complete a weatherization measure (not to exceed the designated percentage of allocation) i.e. removal of knob and tube wiring or replacement of a combustion appliance. All weatherization services/materials provided must comply with the WAP Operations Manual Installation Standards.

(benefit levels) →Do you have a maximum LIHEAP weatherization benefit/expenditure per household? Yes
 No

The Weatherization allocation is based on a weighted system, using the variables of heating degree days (climate), number of low-income households and size of the locality.

If Yes, what is the maximum amount?

\$6,500 per household

(types of
rules)

→Under what rules do you administer LIHEAP weatherization? (Check only one.)

- Entirely under LIHEAP (not DOE) rules
 Entirely under DOE LIWAP rules
 Mostly under LIHEAP rules with the following DOE LIWAP rule(s) where LIHEAP and LIWAP rules differ (Check all that apply):
 Weatherize buildings if at least 66% of units (50% in 2- & 4-unit buildings) are eligible units or will become eligible within 180 days
 Weatherize shelters temporarily housing primarily low income persons (excluding nursing homes, prisons, and similar institutional care facilities).
 Other (Please describe) Weatherize buildings if 100% of units are eligible units or will become eligible in 180 days.
 Mostly under DOE LIWAP rules, with the following LIHEAP rule(s) where LIHEAP and LIWAP rules differ (Check all that apply.)
 Weatherization not subject to DOE LIWAP maximum statewide average cost per dwelling unit.
 Other (Please describe.)

Sub-grantees may go back to a home for no fault rework on a case by case basis with DHCD's prior written approval, i.e. required monitoring corrective actions and/or warranty issues.

2605(b)(6) The state or tribe administers LIHEAP through the following local agencies:

- county welfare offices
- community action agencies (weatherization component only)
- community action agencies (heating, cooling or crisis)
- charitable organizations
- not applicable (i.e. state energy office)
- tribal office
- other, describe:

→ Have you changed local administering agencies from last year?

Yes No

If Yes, please describe how you selected them.

(agency designation)

→ What components are affected by the change?

2605(c)(1)(E)

→ Please describe any additional steps (other than those described elsewhere in this plan) that will be taken to target assistance to households with high home energy burdens. (This applies to all components. If all steps to target households with high home energy burdens are described elsewhere in the plan, no further information is required here.)

(targeting of assistance)

No additional steps will be taken to target assistance households with high home energy burdens except in the Weatherization component. Household size, household income, household occupants and the condition of both the home and the heating system will be assessed in determining the energy burden.

statutory
references

2605(b)(7)
(energy
suppliers)

→ Do you make payments directly to home energy suppliers?

Heating Yes No

Cooling Yes No

Crisis Yes No

If Yes, are there exceptions? Yes No

If Yes, please describe.

The grantee also makes payments directly to eligible households under the following conditions: fuel tank capacity less than 100 gallons; renters with heat included in the rent; households where no vendor contract for a specific fuel type exists for their locality, energy source can only be provided by a unique vendor and no vendor contracts exists (i.e., liquid propane, electricity or natural gas) and eligible households who have their utility payment automatically debited/withdrawn as verified.

2605(b)(7)(A)

→ If you make payments directly to home energy suppliers, how do you notify the client of the amount of assistance paid? (Please describe)

The grantee mails a system generated payment notice (Notice of Payments Made) to each eligible household. The payment notice lists payments made on behalf of the client for each component as well as any refunds and/or cancellations. For households receiving direct payments, in addition to a check, the grantee mails a system generated Client Notice of Action indicating the benefit amount authorized.

2605(b)(7)(B) & (C)

→ How do you make sure the home energy supplier performs what is required in this assurance? If vendor agreements are used, they may be attached. Indicate each component for which this description applies.

Vendor agreements are used for all components. The grantee identifies performance standards for energy suppliers in the Energy Assistance Vendor agreement (see Attachment II). In addition to adherence to the EAP Vendor Agreement, Energy Assistance vendors must comply with the requirements in the Commonwealth of Virginia's Vendor Manual. The state will seek correction of identified noncompliance or terminate the agreement.

statutory
references

2605(b)(8)(B) → Is there any difference in the way owners and renters are treated? If Yes, please describe.

(owners
and
renters)

HEATING ASSISTANCE

_____ Yes No

COOLING ASSISTANCE

_____ Yes No

CRISIS ASSISTANCE

_____ Yes No

WEATHERIZATION

Yes _____ No

Owners of rental property may be requested to make a match contribution. If a match contribution is refused, the local weatherization service provider may use their discretion to either reject or accept the application.

Renters who are income eligible are not required to make a match contribution.

statutory
references

2605(b)(10)

**(program,
fiscal
monitoring,
And audit)**

➔How do you ensure good fiscal accounting and tracking of LIHEAP funds?
(Please describe. Include a description of how you monitor fiscal activities.)

The VDSS is responsible for monitoring expenditures for all components of the EAP. Funds for local administration are allocated at the beginning of each fiscal year. No local agency is reimbursed for administrative expenditures above the maximum amount allowed per state and federal regulations.

The VDSS monitors the DHCD reimbursement requests for weatherization expenditures to ensure that supporting documentation is available for review and to ensure that assistance and administrative expenditures are in compliance with state and federal regulations.

Two accounting and tracking systems, one by the program and one by the Department’s Finance Division are maintained to track revenue and disbursements for all components of the program. These two accounting and tracking systems are reconciled with the State’s financial accounting system.

➔How do you monitor program activities? (Please be sure to include a description of how you monitor eligibility and benefit determination.)

Program activities will be monitored by the grantee. State staff monitor cases via the online Pending and Unpaid Case Reports. A sampling of all case types will be randomly selected by the automated system. Case reading reviews will be conducted and findings submitted to management at the state level and local level. When necessary, LDSS will be required to develop and submit corrective action plans for errors detected. DHCD staff monitors approximately 10 percent of weatherization fieldwork and recipient files.

➔How is your LIHEAP program audited?

Under the Single Audit Act? x Yes No

If not, please describe:

For States and Territories:

➔Is there an annual audit of local administering agencies? x Yes No

If not, please explain.

statutory
references

2605(b)(12)

(timely and
meaningful
participation

➔How did you get timely and meaningful public participation in the development of the plan? (Please describe.)

The grantee encourages public participation in the development of the state plan through: (1) input from LDSS and (2) a public hearing.

Notification of the LIHEAP public hearing was published in the legal notices section of the Richmond Times Dispatch and the Washington Post newspapers Sunday, August 1, 2010.

Notification of the LIHEAP public hearing was posted on the Commonwealth Calendar of Events located on the Official Commonwealth of Virginia Government website.

A broadcast was posted on SPARK, an internal website for LDSS, soliciting comments on a draft version of the LIHEAP state plan.

Public Hearing – The VDSS held a public hearing on Wednesday, August 4, 2010 from noon to 2 pm in the 9th floor conference room of the VDSS state office, located at 801 East Main Street, Richmond, VA.

2605(a)(2)

➔Did you conduct public hearings on the proposed use and distribution of your LIHEAP funds? When and where?

Yes No

(Not required for Tribes and tribal organizations)

(public
Hearing)

The VDSS held a public hearing on Wednesday, August 4, 2010 from noon to 2pm in the 9th floor conference room of the VDSS state office, located at 801 East Main Street, Richmond, VA.

statutory references

2605(b)(13)

→ Describe your fair hearing procedures for households whose applications are denied or not acted on in a timely manner. When are applicants informed of these rights?

(fair

hearings)

All applicants for and recipients of Heating, Crisis and Cooling Assistance will be informed in writing, at the time of application of the right to a fair hearing, of the method by which a hearing may be obtained and of the right to be represented by others or to represent him/herself. Additionally, LDSS will inform all clients of the right to a fair hearing if they are dissatisfied with any action taken by the agency. Notification will occur via the following methods: applicants seen in person will be informed verbally and in writing via the EAP Fact Sheet and all applicants whether seen or not will be informed of the right to request a fair hearing in writing via the Client Notice of Action.

In addition to filing an appeal, the applicant has the right to request a conference with the LDSS to discuss the actions listed above or any action taken on their case/application. At this conference, the LDSS must provide the applicant with an explanation of the action taken. The applicant must also be given the opportunity to present their explanation and state why they disagree with the LDSS action. At the conference, the applicant has the right to have his/her side presented by an authorized representative, such as a friend, relative or lawyer.

Requesting a conference does not prevent the applicant from requesting a fair hearing. If a hearing is requested, staff conducting the hearing are from the VDSS not someone from the LDSS. The hearings officer makes a decision on the appeal.

The appellant will be notified in writing of the hearings officer's decision within 60 days of the receipt of the appeal request.

→ Denials; Applications Not Acted On In a Timely Manner

An applicant for and recipient of Heating, Crisis and/or Cooling Assistance has the right to appeal and receive a fair hearing if the application or the right to make application is denied; the application is not approved or denied prior to benefit determination, unless the delay was caused by the applicant's lack of cooperation in providing necessary and reasonable evidence, an approved case is closed and the household believes it should not have been or for any action taken on their case/application for which they disagree.

The Weatherization component's hearings process is the same for denials and applications not acted on in a timely manner. The local weatherization administrator develops procedures that are adopted by their Board of Directors. Typically, the procedures involve an opportunity to meet with the agency head and/or a representative group of the Board of Directors. Applicants are informed of the right to appeal an application denial or an untimely action on an application at the time the application is taken or denied. Files of denied applicants are monitored during the field/client file monitoring.

statutory
references

2605(b)(15)

For States and Puerto Rico only (not applicable to Tribes and tribal organizations, or to territories whose annual regular LIHEAP allotments are \$200,000 or less):

➔ Does the State agency that administers the following LIHEAP component also administer the State's welfare program?

(alternate
Outreach
And intake)

HEATING ASSISTANCE

Yes No

If Yes, describe alternate process for outreach and intake:

COOLING ASSISTANCE

Yes No

If Yes, describe alternate process for outreach and intake:

CRISIS ASSISTANCE

Yes No

If Yes, describe alternate process for outreach and intake:

The Code of Virginia 63.2-100 designates energy assistance as “public assistance” which is administered by VDSS. These three LIHEAP components and the State’s “welfare programs” are administered through the same state agency, the VDSS. Administration is managed through 120 LDSS including a system of mail-in applications and access to applications through the Internet. The grantee will continue coordination with other social services organizations (e.g., Area Agencies on Aging and Community Action Agencies) throughout Virginia by supplying EAP information posters and EAP Fact Sheets.

The grantee will continue to administer the Weatherization component through the DHCD, who contracts with the local weatherization agency projects.

statutory
references

2605(b)(16)

→ Do you use LIHEAP funds to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance? (This assurance refers to activities such as needs assessments, counseling, and assistance with energy vendors.)

Yes No

If Yes, please describe these activities.

Energy savings and conservation tips are included in the mass mailing of pre-printed applications sent to over 150,000 households.

The VDSS is evaluating additional educational and outreach activities to encourage households to reduce their home energy needs.

If Yes, how do you ensure that you don't use more than 5% (statutory ceiling) of your LIHEAP funds for these activities?

The grantee has established a separate cost code to monitor Assurance 16 expenditures.

statutory
references

2607A
(leveraging)

➔ Please describe leveraging activities planned for the fiscal year. **(This entry is optional.)*** Complete this entry if you plan to apply for LIHEAP leveraging incentive funds and to include in your leveraging report resources/benefits provided to low income households this fiscal year under criterion (iii) in 45 CFR 96.87(d)(2). Provide the following information for each:

- (1) Identify and described each resource/benefit;
- (2) Identify the source(s) of each resource; and
- (3) Describe the integration/coordination of each resource/benefit with the LIHEAP program, consistent with 1 or more of conditions A-H in 45 CFR 96.87(d)(2)(iii).

1. Dominion Virginia Power Company – EnergyShare (Fuel Fund)

This program provides payments for heating and cooling assistance to eligible low-income households in addition to LIHEAP benefits. EAP provides technical assistance for planning and implementing the EnergyShare Program, and works side-by-side with the company in the formulation of policies, procedures, etc.

Intake is provided at LDSS and community agencies. Households must meet the state grantee LIHEAP income requirements and are assisted only after their LIHEAP benefits have been exhausted or if they were ineligible for LIHEAP.

Funding is provided through customer and company contributions. The utility company receives and disburses funds. All payments go directly to the household's energy vendor. Administrative expenses are borne by the utility company.

2. American Electric Power (AEP) – Neighbor-To-Neighbor (Fuel Fund)

Applicants must be current AEP customers in possession of a cutoff notice; income eligible for LIHEAP; and if approved for LIHEAP, have exhausted LIHEAP benefits. Funds come from customer and company contributions. The utility company deposits contributions and disburses supplemental assistance to eligible LIHEAP households.

The VDSS works with AEP on development of program policies and promotion. Until last year, LDSS were used as intake and application processing sites; it is unclear at this point how many if any LDSS will continue to be intake sites.

3. Security Deposit Option Program (SDOP)

A joint project developed by the VDSS and Dominion Virginia Power, the Security Deposit Option Program allows individuals found eligible for payment of a security deposit through the Crisis and Cooling Assistance components to have the payment of the deposit waived by the utility company. The utility will consider the deposit paid although no dollars have been received. Over the years additional companies have elected to participate in the SDOP.

A written agreement between the participating companies and the VDSS specifies the criteria for the eligibility and defines the relationship between the cooperating members.

4. Joint Venture with the Virginia Department of Housing and Community Development

DHCD oversees the Weatherization Assistance Program and weatherization agencies in Virginia. The weatherization agencies are the sole source vendor for the LIHEAP Weatherization component. The cost of services may be supplemented by other funds received by DHCD; the source of supplemental funds may be state funds allocated to DHCD. Intake is provided by local weatherization agencies.

The VDSS and DHCD collaborate across programs to maximize available funding for eligible households. The VDSS makes referrals to the DHCD and provides a biennial referral list of EAP recipients to the DHCD.

5. Home Energy Assistance Fund - Home Energy Assistance Program (HEAP)

In 2002, the Virginia General Assembly established a special non-converting fund to support the efforts of public agencies, private utility service providers and charitable and community groups seeking to assist low-income Virginians in meeting their residential energy needs.

The fund consists of donations, contributions and moneys appropriated by the General Assembly. Interest earned on the money shall remain and be credited to the fund. Contributions remaining in the fund at the end of each fiscal year will be carried over into the next year. The funds will be disbursed through the operations of the HEAP.

The VDSS has been designated as the lead agency in coordinating and administering all energy assistance efforts among state agencies and non-state organizations electing to participate in HEAP.

In January 2004, the Virginia state income tax form provided a check-off option for contributions to HEAP. The VDSS will continue to promote the income tax check-off box on behalf of the fund.

6. State General Funds

Over the years, the VDSS has occasionally received state general funds to supplement LIHEAP funded Energy Assistance Program. Periodic receipt of state general funds may continue.

* Leveraged resources/benefits that are counted under criterion (iii) in 45 CFR 96.87(d)(2) must be identified and described in the grantee's LIHEAP plan and distributed as indicated in the plan. In addition, leveraging resources/benefits that are counted under criterion (ii) must be carried out under one or more components of the grantee's regular LIHEAP program.

statutory
references

2605(b)

➔ Please describe performance goals and measures planned for the fiscal year.
(This entry is optional.)

(performance)
goals and
measures)

ADDITIONAL CERTIFICATIONS AND REQUIREMENTS

Attached are additional certifications required as follows:

- * **Lobbying certification**, which must be filed by all States and territories. If applicable, Form LLL, which discloses lobbying payments, must be submitted. **(Tribes and tribal organizations are EXEMPT.)**
- * **Debarment and suspension certification**, which must be filed by all grantees.
- * **Drug-free workplace requirement certification**, which must be filed by all grantees, unless the grantee has filed a statewide certification with the Department of Health and Human Services. **STATES ONLY:** If you have filed a statewide certification for the drug-free workplace requirement, please check here: _____
- * One of the requirements included in the 1994 reauthorization of the statute is that state grantees must include in their annual application for funds a report on the number and income levels of households applying for and receiving LIHEAP assistance, and on the number of recipient households that have members who are elderly, disabled, or young children.

All Tribes and those territories with allotments of less than \$200,000 need only submit data on the number of households served by each component (heating, cooling, weatherization and crisis). The approval for the collection of information contained in the **LIHEAP Household Report** is covered by OMB approval number 0970-0060.
- * Though not a part of this application, the report on funds to be carried over or available for reallocation as required by section 2607(a) for the preceding year must be submitted by August 1 of each year. A grant award for the current fiscal year may not be made until the carryover/reallocation report is received. The approval for the collection of information contained in the **LIHEAP Carryover and Reallocation Report** is covered by OMB approval number 0970-0106.