

**LOW INCOME HOME ENERGY  
ASSISTANCE PROGRAM**

**INDIANA  
DETAILED STATE PLAN**

**PUBLIC LAW 97-35, AS AMENDED**

**FEDERAL FISCAL YEARS 2012-2014**

**Prepared By:**

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**Sent to:**

US Department of Health and Human Services  
Administration for Children and Families  
Office of Community Services  
Washington, D.C. 20477

**STATE OF INDIANA  
INDIANA HOUSING and COMMUNITY DEVELOPMENT AUTHORITY  
Federal Fiscal Year 2012  
LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM  
STATE PLAN**

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**FEDERAL EMPLOYEE IDENTIFICATION NO.: 35-1485172**

**STATE AGENCY ✓**

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: 04/30/14

**Assurances**

The State of Indiana agrees to:

(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

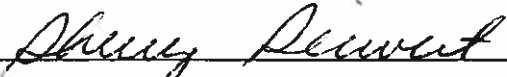
agencies, area agencies on aging and not-for-profit neighborhood-based organizations), and in States where such organizations do not administer functions as of September 30, 1991, preference in awarding grants or contracts for intake services shall be provided to those agencies that administer the low-income 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: Executive Director, Indiana Housing and Community Development Authority

Date: 09/01/2011

**\* 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) Use of Funds**  
**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.)

<u>Use of Funds</u>	<u>Dates of Operation</u>
<u>x</u> heating assistance	November 1 to May 15
<u>x</u> cooling assistance	June 4 to August 31
<u>x</u> crisis assistance	November 1 to May 15
<u>x</u> weatherization assistance	October 1 to September 30

**2605(c)(1)(C) Use of Funds**

→ 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)

<u>Percentage of Funds</u>	<u>Usage of Funds</u>
<u>50</u> %	heating assistance
<u>7</u> %	cooling assistance
<u>13</u> %	crisis assistance
<u>15</u> %	weatherization assistance 2605(k)(1)
<u>0</u> %	carryover to the following fiscal year
<u>10</u> %	administrative and planning costs 2605(b)(9)
<u>5</u> %	services to reduce home energy needs including needs assessment (assurance 16) 2605(b)(16)
<u>0</u> %	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)
<u>100</u> %	<b>Total</b>

**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:

<u>Alternate Use of Crisis Assistance Funds</u>	<u>Type of Assistance</u>
X	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) Eligibility**  
**2605(c)(1)(A)**

→ What are your maximum eligibility limits?  
(Please check the components to which they apply.)

**Current year guidelines must be used.**

<b>Type of Assistance</b>	<b>150% Federal Poverty Level</b>	<b>125% Federal Poverty Level</b>	<b>110% Federal Poverty Level</b>	<b>60% State Median Income</b>
<b>Heating</b>	Yes	n/a	n/a	n/a
<b>Crisis</b>	Yes	n/a	n/a	n/a
<b>Cooling</b>	Yes	n/a	n/a	n/a
<b>Weatherization</b>	Yes	n/a	n/a	n/a
<b>Other components</b>	n/a	n/a	n/a	n/a

**Please Note:** Indiana does not offer automatic eligibility to households if one person receives TANF, SSI, Food Stamps, or means-tested veterans programs.

Other special initiatives at 150% of poverty:

✓ **Weatherization Component:** households eligible for the Energy Assistance Program are eligible for the LIHEAP and DOE components of the Weatherization Assistance Programs. The priority groups under Weatherization for both LIHEAP and DOE are (in no particular order): 1) elderly; 2) handicapped; 3) households with children under 18 and; 4) households with a high-energy burden.

✓ **Energy Education:** households participating in EAP may be eligible for participation in the Energy Education component with an income up to 150% of poverty.

✓ **Family Development Initiative:** households participating in EAP may be eligible for participation in the Family Development Program with an income up to 150% of poverty.

✓ **Leveraging Incentive Program:** households participating in EAP may be eligible for the Leveraging Incentive Program with an income up to 150% of poverty.

**Statutory References**

**2605(c)(1)(A) Eligibility**  
**2605(b)(2)**

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

→ Do you use: Yes No  
 Assets test?

→ Do you give priority in eligibility to:

Priority Group	Yes	No
Elderly	X	
Disabled	X	
Young children	X	
Other		X

**2605(c)(1)(A) Eligibility**  
**2605(b)(2)**

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

→ Do you use: Yes No  
 Assets test?

→ Do you give priority in eligibility to:

Priority Group	Yes	No
Elderly	X	
Disabled	X	
Young children	X	
Other		X

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

**Eligibility**

→ Do you have additional eligibility requirements for:  
**CRISIS ASSISTANCE** (\_\_\_ Yes \_\_\_x\_\_\_ No)

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

→ What constitutes a crisis? (Please describe)

A crisis occurs when a client has one of the following:

- In imminent danger of a disconnection (has received a disconnection notice)
- Is shut-off
- Is out of fuel

The local community action agency must provide some form of assistance that will resolve the crisis within 48 hours from the time of the application or 18 hours, if a life threatening situation exists.

**Statutory References**

**2605(c)(1)(A) Eligibility**

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

→ Do you use:	<u>Yes</u>	<u>No</u>
Assets test?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Priority groups? (Please list)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<p>The State of Indiana gives priority to the following identified populations:</p> <ul style="list-style-type: none"> <li>• Elderly</li> <li>• Disabled</li> <li>• Households with children under the age of 18</li> <li>• Households with a high energy burden</li> </ul>
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→ 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?

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

<p>In Indiana, reweatherization of a structure is allowed after a period of five years, if LIHEAP funds were the only federal funds previously used on the structure. Reweatherization would only take place if conditions within the home have changed warranting additional measures.</p> <p>Indiana also restricts the use of LIHEAP funding to only those homes with are at or below 150 percent of poverty. LIWAP rules specify eligibility up to 200 percent.</p>
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**Statutory References**

**2605(b)(4)              Coordination**

→ 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 Indiana Housing and Community Development Authority (IHCDA) will continue to coordinate its activities under this assurance with various related programs administered by the State and Federal governments. Programs with which LIHEAP benefits are coordinated include:

- Community Services Block Grant Program, particularly through the Community Action Agencies (CAAs);
- the Weatherization Assistance Program, also through CAAs;
- Faith based organizations and other charitable non-profits in coordination with the CAAs;
- Township Trustees; in coordination with local CAAs;
- Social Services Block Grant program; and a host of other social service programs administered in the local communities by the CAAs and other related organizations;
- The county offices of the Division of Family Resources, which administers Temporary Assistance for Needy Families (TANF); the public assistance program; and
- The six major utility companies in Indiana and their low-income programs, fee waivers, and discounts.

Coordination with the Weatherization Assistance Program (WAP) and other energy conservation efforts are conducted as follows:

- Within IHCDA, both the Energy Assistance Program and the Weatherization Assistance Program are administered by the Department of Energy Programs. The Deputy Director of Energy Programs and the EAP and CSBG Program Manager maintain maximum coordination of policies, procedures and goals for the two programs;
- Both programs are implemented by the same IHCDA sub-grantees. The CAAs that implement the Energy Assistance Program (EAP) are also delivering weatherization services. The Energy Programs Application

combines the application for heating, cooling, crisis, and weatherization benefits. This ensures those applicants that apply for energy assistance will also be applying for the Weatherization Program. In this process EAP clients who have a high energy burden will receive weatherization services;

- To extend our outreach efforts, we are working with the 1,008 Township Trustees in the State of Indiana, at least informally. Trustees may complete applications in coordination with the local CAA. This enhances outreach through another system that also provides emergency utility assistance. Trustee utility assistance will also be documented and submitted under Leveraging activities. Training is provided to Township Trustees by the CAAs in coordination with the State;
- IHCD, in conjunction with local CAAs, and major regulated utility providers, is involved in offering the following:
  1. energy education programs;
  2. case management services;
  3. fuel fund assistance coordination; and
  4. weatherization and furnace replacement
- The Coalition to Keep Indiana Warm is a working group of individuals representing utilities, government, and social service organizations interested in low-income energy issues. The Coalition meets bi-monthly to discuss mutual concerns, gather data, and exchange ideas. The Deputy Director of Energy Programs serves on the executive committee.
- Natural gas service for eligible low-income customers of Citizens Energy Group (Indianapolis) and Vectren Energy Delivery (southern 2/3 of Indiana) has been more affordable since approval of the Universal Service Program.

The Universal Service Program (USP) is the result of an agreement among the two utilities, the Indiana Office of Utility Consumer Counselor, the Citizens Action Coalition, and the State of Indiana. The Indiana Utility Regulatory Commission (IURC) approved the pilot program to help low-income natural gas customers by providing reduced monthly bills and promoting energy efficiency and conservation.

Beginning January 1, 2005, eligible customers who applied for the Energy Assistance Program automatically became enrolled in the new USP and received monthly utility bill reductions in addition to their EAP benefit. The amount of the monthly bill reduction varied among EAP clients. It was based on a three-tiered percentage reduction structure, and depended on the customer's energy burden and utility provider.

The USP has been extended through October 2012, when it comes up for review by the Indiana Utility Regulatory Commission.

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

**Benefit Levels**

→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.

- Indiana's Energy Assistance Program does not have categorical eligibility.
- Indiana's LIHEAP Weatherization Program does not have categorical eligibility.

**2605(b)(5)**

**Determination of Benefit: HEATING 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)

Indiana's benefit formula awards extra benefit points to households with elderly members, disabled members, or children under six years old.

**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.

In FFY'98 Indiana implemented a new benefit formula. The formula provides higher benefits to the households with the lowest income and highest energy costs. The benefit, which the family receives, is determined on a matrix which awards points based on various factors within six categories:

\* Poverty level based on household size;

- \* Dwelling type;
- \* Income type;
- \* Housing status;
- \* At-risk (family) status; and,
- \* Fuel source.

The points established are then converted to a dollar benefit, which then varies according to energy burden. In addition, a varied regional weather benefit is added to the total award.

The benefit level for a subsidized household which has heating and electric costs included in its rent payment is \$0. However, if a tenant pays a utility expense, separate from its rent they would qualify for scaled benefit

In FFY 2012, the benefit matrix has been updated. The formula still provides the highest benefit to the households with the lowest income and highest energy costs, but the point allocation has changed. The benefit, which the family receives, is now based on five categories:

- Poverty level based on household size;
- Dwelling type;
- Housing status;
- At-risk status (family); and,
- Fuel source.

Instead of six poverty levels, there are now three poverty level allocations based on household size: 50% of poverty (6 points), 100% of poverty (4points), and 150% of poverty (2 points).

The points established are then converted to a dollar benefit by multiplying the totals points by a dollar value to be determined based on the FY2012 funding amount.

(See Appendix F for Section 200 of the Indiana EAP Program Operations Manual)

→ 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) Determination of Benefits: COOLING COMPONENT**  
**2605(c)(1)(B)**

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

- 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)

- If a household is deemed eligible, then the households may receive at least a \$50 electric benefit.

**2605(b)(5) Benefit Levels**  
**2605(c)(1)(B)**

➔ 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 benefit levels or attach a copy of your payment matrix.

**Categorical Requirements and Cooling Benefits**

If additional funds are available at the end of the heating season, Indiana will use those remaining funds to administer a summer cool program. The program will continue to serve households at or below 150 percent of poverty, based on the family size. All financially eligible households qualify to receive an electric benefit. IHCDA gives priority to clients who have received a winter benefit by automatically crediting their electric bills on record. Any additional funds are then allocated to walk-in clients. The total value of the benefit cannot exceed \$100.

Financially eligible households with at least one elderly individual, disabled individual, or with a child under 6 are eligible for:

- A room air conditioner (if medically necessary); and,
- A payment to their electric utility company not to exceed \$100.

## Eligibility for an Air Conditioner

Under certain, limited circumstances a household may be eligible to receive an air conditioning unit, *in conjunction with* the electric benefit. All three of the following criteria must be met to receive an air conditioner.

1. The household must be financially eligible for the program;
2. The household must have a verified medical requirement for an air conditioner. That is, a signed state mandated Air Conditioner Affidavit that indicates that a medical condition of a household member justifies the need for an air conditioner and that the lack of such may seriously jeopardize the health of that person.
3. Using EAP program definitions, the household must be classified as at-risk: elderly, disabled, or have a child under the age of 6.

A household will qualify for the air conditioner benefit once every five (5) years, or clients who have received benefit as of FFY 2007 or prior.

The air conditioner purchase is limited to a 5,000 (minimum) BTU capacity unit, not to exceed a cost of \$275. Further, the household must sign a statement that they will not sell or transfer their air conditioner for a period of five years.

→ Do you provide in-kind (e.g. fans) and/or other forms of benefits? \_\_\_ Yes x No If Yes, please describe.

**Statutory References**

**2605(b)(5) Determination of Benefits: CRISIS COMPONENT**  
**2605(c)(1)(B)**

➔ How do you handle crisis situations?

  x   separate component        other (please explain)

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

  x   amount to resolve crisis, up to maximum

       other (please describe)

Eligible households experiencing an “energy emergency” (imminent danger of shut-off, shut-off, or out-of-fuel) are eligible for crisis assistance. The local CAA must provide some form of assistance that will resolve the crisis, within 48 hours from the time of application or 18 hours if a life-threatening situation exists.

**2605(b)(5) Benefit Levels**  
**2605(c)(1)(B)**

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

Type of Assistance	Amount of Benefit
heating	<u>\$400.00</u> maximum benefit for unregulated utilities  <u>\$200.00</u> maximum benefit for regulated utilities
cooling	<u>\$ n/a</u> maximum benefit
year-round	<u>\$ n/a</u> maximum benefit

➔ Do you provide in-kind (e.g. blankets, space heaters, fans) and/or other forms of benefits?    Yes   x   No If Yes, please describe.

**Statutory References**

2605(b)(5) **WEATHERIZATION & OTHER ENERGY RELATED**  
2605(c)(1) **HOME REPAIR AND IMPROVEMENTS**  
(B) & (D)

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

TYPES OF ASSISTANCE

- Weatherization needs assessments/audits.
- Caulking, insulation, storm windows, etc.
- Furnace/heating system modifications/repairs
- Furnace replacement
- Cooling efficiency mods/repairs/replacement
- Other (Electric Baseload Measures)
  - Water heater repair and replacement
  - Refrigerator replacement
  - Duct mastic, polyurethane foam, etc.

**Benefit and Expenditure Levels**

➔Do you have a maximum LIHEAP weatherization per household? \_\_\_\_\_ Yes  No  
If Yes, what is the maximum amount? \$\_\_\_\_\_

Average cost per home is used. Average cost is determined by the category in which the LIHEAP measures are completed. Base program averages \$5000, mechanical is \$3000 and capital intensive \$8,000. LIHEAP funds no longer will pay for refrigerator replacement.

**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)

\_\_\_\_\_ 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.)

✓The exceptions between LIHEAP Weatherization and DOE Weatherization rules in Indiana:

- DOE allows for sub-grantees with contracts of \$350,000, or more, to expend 5% of their expenditures in administrative costs. Also, sub-grantees with contracts of \$350,000, or less, may expend 10% of their total expenditures in administrative costs. However, under LIHEAP sub-grantees may only expend up to 6.753% of their expenditures in administrative costs.
- DOE has a separate line item for fiscal audit costs, while audit costs are charged under administration for LIHEAP.
- Combustion Appliances (furnaces, water heaters, and stoves) may be replaced for health and safety reasons under LIHEAP, and those charges may be included in the budget under labor and materials and are included in the average cost per home under either the mechanical or capital intensive line items.
- LIHEAP allows for purchase of equipment under a separate line item. Equipment purchases (defined as having a unit cost of \$5,000 or more) will not be included in the average cost-per-home. Equipment purchased with DOE funds must be included in the average cost-per-home. Equipment purchases require pre-approval from IHCDA.
- LIHEAP allows for purchase of supplies under a separate line item. Supplies purchases (defined as having a unit cost of less than \$5,000) will not be included in the average cost-per-home. Supplies purchased with DOE funds must be included in the average cost per home. Supplies purchases do not require preapproval from IHCDA.

Both DOE funds and LIHEAP funds may be used when a home requires extensive mechanical work. Under this system the shell work may be completed under the DOE program and the mechanical work under the LIHEAP mechanical program. Further those homes that receive both shell work and mechanical work, under the LIHEAP Program must be counted under Capital Intensive and maintain the higher cost-per-home. Those homes receiving only shell work under LIHEAP must maintain the current established average cost per home. However, homes having only mechanical work, which exceed \$300, completed under LIHEAP, must maintain a separate average of \$3,000.

**Statutory References**

**2605(b)(6) Agency Designation**

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.

Funding was terminated at Action, Inc. of Delaware and Grant Counties in 2010. For FY 2011, the Energy Assistance Program was administered by Community and Family Services, Inc. Indiana Housing and Community Development Authority is seeking, through requests for proposals, a new program administrator for Delaware and Grant counties in 2012.

➔ What components are affected by the change? N/A

**2605(c)(1)(E) Targeting of Assistance**

➔ 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.)**

- Indiana combines the Weatherization/EAP application. Coordinated services ensure that those clients identified during the EAP application process, as having high-energy burdens, are referred to the Weatherization Department to have their homes weatherized.

- Indiana continues to refine the formula for determining regular benefits and crisis amounts to ensure that those clients who have the highest energy burden receive the highest benefit amounts. By eliminating the income status qualifier in the Benefit Matrix, the EAP Program will provide a greater benefit to those households with a real energy burden without discriminating against the unearned income recipients.
- Indiana has 1,008 Township Trustees that offer local poor relief. Trustees will be allowed to take EAP applications upon agreement with the CAA located in their community. Trustees historically work with those clients at or below 100% of the poverty level. Through the Township Trustees, the State's EAP will be servicing clients who apply to the Trustees for assistance and are historically in crisis due to high-energy bills.

**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

**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 community action agencies notify the applicants in writing of the eligibility determination, specifying the amount and the type of utility benefit (heating and electric), within 10 working days of the application's completion.

**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, as well as state law, specify that the home energy supplier is to charge the household, in the normal billing process, only the difference between the actual cost of the home energy and the amount of the payment made by the State under this program. Vendor agreements further specify that the home energy supplier will provide assurances that no household, having applied for Energy Assistance, will be treated adversely because of such assistance.

Payment transmittals are signed by a CAA representative and sent to the respective utility vendors. The transmittal signifies the CAA's approval of the listed households and a financial obligation on behalf of those households.

The vendor's return signature on that EAP transmittal form certifies that the vendor has acknowledged the EAP enrollment, credited the account or delivered the fuel, and (for regulated utilities) will protect the household under the provisions of the "moratorium on disconnection" during the period of December 1<sup>st</sup> through March 15<sup>th</sup>.

The signed transmittal is then sent to IHCD for payment. IHCD remits the payment within 30 days of receipt from the agency. A sample copy of an MOU is included in the Appendix G of the plan.

**2605(b)(8)(B) Owners and Renters**

➔ Is there any difference in the way owners and renters are treated? If yes, please describe.

**HEATING ASSISTANCE**

Yes  No

The State does not differentiate between the treatment of owners and renters in the Energy Assistance Program in regard to renters that pay utilities directly to a vendor. **However**, the Heating Assistance benefit level for subsidized renters is reduced for heat or electric that may be included in rent and no award is offered if both utilities are included in federally subsidized rent.

**COOLING ASSISTANCE**

Yes  No

**CRISIS ASSISTANCE**

Yes  No

Subsidized households are ineligible for crisis assistance.

**WEATHERIZATION**

Yes  No

✓ Though owners and renters are treated the same in regards to eligibility criteria, a number of CAAs in the State have developed protocols which involve having the owners of rental properties participate financially in the weatherization of their property. These protocols may include:

- \* guaranteeing that the owner of a rental unit pays for the repair or replacement of any mechanical system that is not properly working; and
- \* having the owner make a partial payment on the cost of weatherizing his or her rental unit.

**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.)

✓ IHCDA provides the fiscal and programmatic control procedures 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.

**Fiscal Monitoring and Controls**

IHCDA maintains the state level budget through its fiscal offices; including budget, accounting and claims. Expenditures are reviewed against budgets on a regular basis, and in face-to-face meetings among staff.

IHCDA requires program budgets to be submitted by its twenty-three sub-grantees, which project the amounts to be expended for administrative and programmatic activities. IHCDA bases these budgets on the allocations of federal funds. The allocations reflect factors such as the CAA's proportion of low-income people in their service area, as well as the number of households historically served.

The Board of Directors of the Indiana Housing and Community Development Authority must approve all contracts with sub grantees, before IHCDA can pay any claims.

After review and approval by the EAP and CSBG Program Manager, the IHCDA Accounting Section is responsible for the computerized system of processing and payment of CAA claims for their costs in the administration of the program.

IHCDA contracts with monitoring consultants who audit the sub-grantee's EAP and Wx programs. A thorough review of the sub-grantees internal accounting system is completed, to ensure adequate fiscal controls and compliance with contractual obligations. Agency reporting requirements are reviewed during field visits for accuracy and timely submission. Based on findings by the consultants, areas for additional technical assistance are identified and addressed in the monitoring report, which is sent to the agency. IHCDA also employs monitors who review the auditing practices of the consultants to ensure that proper protocol and procedures were followed during the monitoring review.

Each IHCDA sub-grantee is also required to submit to the State an annual, independent CPA audit of its complete operation, including LIHEAP funding. These audits are reviewed by the IHCDA staff as part of the annual Grantee Plan Packet approval process and are conducted in compliance with the provisions of OMB-A-133 (Audits of Institutions of

Higher Education and other Non-Profit Institutions) or A-128 (Audits of State and Local Governments).

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

✓ To assure proper implementation, IHEDA utilizes monitoring consultants, staff monitors, and other staff as needed, to perform on-site monitoring for all community services programs, including the Energy Assistance and Weatherization Assistance Programs. Each CAA which contracts to implement the Energy Assistance Program will be offered training prior to the implementation of the program, and technical assistance during the program season on an as-needed basis. A formal EAP program review will be completed, at least once every year, on each agency after the heating season has ended.

The final program assessments will include an overview of the local administration and implementation of the program with attention to grants management. The review process will include:

- \* any prior year issues;
- \* the EAP benefit delivery system, identifying by county the EAP intake sites and staffing;
- \* a review of outreach activities and services available to EAP clients;
- \* application procedures with regard to the design of the current year's program manual;
- \* a select review of client files, specifically to redetermine eligibility and verify the benefit received;
- \* fiscal operations, including the time frames for processing applications and submitting claims;
- \* vendor payment arrangements; and
- \* client file and record review for completeness.

A letter detailing the results and recommendations of the review will follow program monitoring. Agencies are required to implement corrective action if monitoring results indicate a need.

IHEDA also requires statistical information from CAA's detailing the results of the program. These reports are analyzed and reviewed and used to measure program results and compliance with federal laws and regulations.

The Weatherization Assistance Program utilizes most of the same mechanisms for program accountability as described above. Weatherization program monitoring is, however, more technically detailed, in conformance with Department of Energy (DOE) standards. There is a great deal of time devoted to monitoring the actual homes that have been weatherized to

ascertain the effectiveness of the work. Each Weatherization monitor and auditor has either been certified by the Building Performance Institute or has gone through and exhaustive 5-week state specific auditor training course. These training courses and the BPI certification both provide opportunities for classroom and in-field training.

At this point, the use of LIHEAP funds for weatherization, as well as the subsequent accountability for those funds, will follow LIWAP rules except where differences are noted in this plan.

→How is your LIHEAP program audited?  
Under the Single Audit Act?  Yes  No

For States and Territories:

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

**2605(b)(12) Timely and Meaningful Public Participation**

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

✓The State Energy Assistance Program Manager held three regional EAP program managers' meetings on April 12, 13, and 14, 2011. These meetings were held with key local CAP administrators which provided valuable information regarding the effectiveness of the program. In addition, development of the program is discussed at the bi-monthly meetings of the Coalition to Keep Indiana Warm. The Coalition is an open organization devoted to low-income energy issues. The development of the program changes were discussed with the major utility companies to assess the financial impact that the changes may have on service delivery.

**2605(a)(2) Public Hearings**

→Did you conduct public hearings on the proposed use and distribution of your LIHEAP funds? When and where?  Yes  No

The LIHEAP State Plan was published on the IHCDA website on Monday, August 15, 2011 and left available for ten days for public comments. The public comment period closed on Thursday, August 25, 2011. The public hearing was on Friday, August 25, 2011 at:

Indiana Housing and Community Development Authority  
30 South Meridian Street, Suite 1000  
Indianapolis, IN 46204

The hearing was held from 12pm to 1pm in Training Rooms 2 and 3 of the agency's offices.

## Statutory References

### 2605(b)(13) Fair Hearings

→ 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?

#### → Denials

✓ The State will provide an opportunity for an administrative hearing to individuals whose claims for assistance under the plan are denied or are not acted upon with a reasonable amount of time. Applicants are both verbally and in writing informed of these rights at the time of application.

Energy Assistance Program eligibility requirements will be publicized through program support activities and in the plan available to the public. **No one will be denied the opportunity to apply for benefits.** A notice of approval or denial will be given to each applicant which will explain the applicant's right to an appeal and inform the applicant of where to address such an appeal.

The initial appeal will be made to the Executive Director of the CAA. Subsequent appeals will be addressed to IHCD. The EAP and CSBG Program Manager will initiate a fact-finding process upon receipt of the appeal. If the appeal is denied by the EAP and CSBG Program Manager, IHCD will provide for a formal evidentiary hearing for applicants who desire one.

#### → Applications Not Acted On In a Timely Manner

✓ The appeal process for applications that have not been acted on promptly is the same as for denials. All completed applications must be resolved within 10 working days.

### 2605(b)(15) Alternate Outreach and Intake

**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?

**Statutory References**

**2605(b)(15)                      Alternate Outreach and Intake**

**HEATING ASSISTANCE**

Yes  No

If Yes, describe alternate process for outreach and intake:

The Indiana Family and Social Services Administration was the home of the LIHEAP program until July 1, 2006. That department still administers the state's welfare program, but is not connected with the EAP program now facilitated by IHCDA.

**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:

**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.)

  x   Yes           No

If Yes, please describe these activities.

✓ Assurance 16 activities are designed to reduce home energy needs and thereby the need for future energy assistance. Each Community Action Agency will be allowed to budget 5% of their total EAP benefit amount on Assurance 16 activities. Other federal dollars may subsidize this non-administrative category without any affect on this limit.

Agencies will be encouraged to work with clients in compliance with the Indiana Family Development Process, a case management approach toward self-sufficiency with an energy conservation emphasis. Agencies may budget up to 2% of their budget for this activity. Clients in the Family Development Process will attend a one-hour energy conservation class. Agencies will then take a holistic approach at guiding families toward self-sufficiency. Agencies may claim at a unit rate of \$25.00 per hour per household as long as the activities provided “encourage and enable households to reduce their home energy needs and thereby the need for energy assistance.”

In 2010, Indiana, through the Indiana Community Action Association, purchased its own family development training curriculum. Case Managers working directly with clients on a long-term basis must attend and pass the Family Development Specialist class that is offered in Indiana annually. Intake staff who work with clients on a short-term basis must attend the Family Development Outreach Working half-day training session that is offered annually as well. Both training programs require continuing education credits (CEUs), and staff specialists that have completed these programs must get recertified every two years.

Agencies may also budget up to 3% of their Assurance 16 funds for intake functions that include; information and referral to other programs, dissemination of program information, budget counseling, coordination of crisis benefits and negotiations on behalf of the client with outside entities.

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



**Criterion ii:**

The Universal Service Program is funded by utility contributions and rate recovery cases from all customer classes.

The Utility Assistance programs are funded through utility company, shareholder, customer and employee donations.

The township trustee offices are funded by the property taxes collected by the township governments.

The cash assistance programs are funded by cash donations from local community funds, faith based organizations, community residents, and other social service programs.

The Winter Assistance Fund is funded by cash contributions to the United Way of Central Indiana's utility assistance fund.

**Criterion iii:**

The State of Indiana has a unique Township Trustee system that serves the needs of low-income households. This resource supplements LIHEAP assistance. The amount of utility assistance offered by the Township Trustee is determined in conjunction with the award received from the Energy Assistance Program. Indiana's Township Trustees are frequently used as outreach sites, forming a unique partnership of service delivery with the Energy Assistance Program.

IHCDA will be coordinating and integrating efforts with CAAs and utility vendors to conserve energy and save money to benefit low-income clients. The State, along with sub-grantee agencies, will work with utility companies throughout the state to provide cash and credit benefits to low-income households. Such coordinated benefits include, but are not limited to: discounts, fee waivers, fuel fund assistance, and other efforts which will offset low-income energy costs.

The State will provide federal eligibility guidelines. CAAs will administer and distribute the funds. In addition, some utility companies will coordinate a furnace replacement program with IHCDA and its sub grantees.

IHCDA will continue coordinating and integrating the Universal Service Program (USP) with the CAAs through

Citizens Energy Group and Vectren Energy Delivery Company. The program provides EAP clients a monthly discount on their natural gas utility bills starting January 2005. The percentage discount, when coupled with their EAP benefit will provide a combined heating cost reduction of 27% to 60% every month. This will be based on the EAP determination of the customer's needs.

To determine eligibility all USP customers must apply for and receive EAP funds.

The major providers of utility service in Indiana, all of whom cooperate and coordinate with the State LIHEAP are:

- Northern Indiana Public Service (NIPSCO)
- American Electric Power (AEP)
- Vectren Energy Delivery
- Duke Energy
- Citizens Gas and Coke Utility
- Indianapolis Power & Light (IPL)
- Ohio Valley Gas

In addition, IHEDA works with the Indiana Rural Electric Cooperative and the Indiana Municipal Power Association on services to low-income.

**Statutory References**

**2605(b)                      Performance Goals and Measures**

→ Please describe performance goals and measures planned for the fiscal year.

- Annually increase the number of households referred for other needed services; for example, Weatherization Assistance Program services, Family Development case management services, Lifeline/Link-up telephone services and Medicare Part D Drug Prescription services for seniors.
  
- If program budgets are cut, maintain services to at least 90% of the clients served in FFY 2011. If funding remains static or increases, increase program enrollment in an amount exceeding the respective percentage gain in funding.
  
- Decrease each agency's error rate by two to three percent during annual monitoring reviews

**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM**  
**STATE PLAN APPENDICES**



## **APPENDIX A: CERTIFICATION REGARDING DRUG-FREE WORKPLACES**

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATEWIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

- 1) By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
- 2) The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
- 3) For grantees other than individuals, Alternate I applies.
- 4) For grantees who are individuals, Alternate II applies.
- 5) Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
- 6) Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
- 7) If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).
- 8) Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:
  - Controlled substance means a controlled substance in Schedules I through V of the

- Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);
- Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;
- Criminal drug statute means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;
- Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of sub-recipients or subcontractors in covered workplaces).

#### Alternate I. (Grantees Other Than Individuals)

- 1) The grantee certifies that it will or will continue to provide a drug-free workplace by:
- 2) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- 3) Establishing an ongoing drug-free awareness program to inform employees about--
  - The dangers of drug abuse in the workplace;
  - The grantee's policy of maintaining a drug-free workplace;
  - Any available drug counseling, rehabilitation, and employee assistance programs; and
  - The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- 4) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --

- Abide by the terms of the statement; and

- Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted;

Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

- Place of Performance (Street address, city, county, state, zip code) Check if there are workplaces on file that are not identified here.

#### Alternate II. (Grantees Who Are Individuals)

(a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

[55 FR 21690, 21702, May 25, 1990]

Sherry Seiwert  
Signature

9/4/11  
Date

Sherry Seiwert  
Executive Director  
Indiana Housing and Community Development Authority

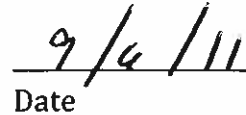
**APPENDIX B: CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE**

Public Law 103227, Part C Environmental Tobacco Smoke, also known as the Pro

Children Act of 1994, requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1000 per day and/or the imposition of an administrative compliance order on the responsible entity. By signing and submitting this application the applicant/grantee certifies that it will comply with the requirements of the Act.

The applicant/grantee further agrees that it will require the language of this certification be included in any sub-awards which contain provisions for the children's services and that all sub-grantees shall certify accordingly.

  
Signature

  
Date

Sherry Seiwert  
Executive Director  
Indiana Housing and Community Development Authority

## **APPENDIX C: CERTIFICATION REGARDING LOBBYING**

### **Certification for Contracts, Grants, Loans, and Cooperative Agreements**

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form III, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### **Statement for Loan Guarantees and Loan Insurance**

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person

who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Sherry Seiwert                      9/4/11  
Signature                                      Date

Sherry Seiwert  
Executive Director  
Indiana Housing and Community Development Authority

## **APPENDIX D: CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or

agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

#### Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Covered Transactions

The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Sherry Seiwert                      9/4/11  
Signature                                      Date

Sherry Seiwert  
Executive Director  
Indiana Housing and Community Development Authority

## **APPENDIX E: CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION**

### **LOWER TIER COVERED TRANSACTIONS**

By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

The prospective lower tier participant agrees by submitting this proposal that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from

covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

#### Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

##### Lower Tier Covered Transactions

The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

  
\_\_\_\_\_  
Signature

9/6/11  
Date

Sherry Seiwert  
Executive Director  
Indiana Housing and Community Development Authority

**APPENDIX F: SECTION 200-INDIANA EAP PROGRAM OPERATIONS MANUAL**

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**SECTION 200  
EAP BENEFITS AND SERVICES**

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Financial eligibility for Energy Assistance benefits (heating, crisis, cooling, and summer fill) is limited to households with a combined annual income at or below **150%** of the current Office of Management and Budget Poverty Guidelines. This is the seventh consecutive year households in Indiana may qualify for assistance with an income up to 150% of poverty.

A new benefit formula was implemented in 1998, which awarded the largest benefits to households with the highest energy costs and the lowest income levels based on family size. The formula was updated for FFY 2012 with the following changes. Thus heating benefit amounts are calculated by awarding points based on factors within five categories of a benefit matrix. These categories are: **poverty level** based on household size, **dwelling type, housing status, at-risk (family) status,** and **fuel source**. The amount of the benefit is computed at a rate determined by IHCDA based on available funding and awarded on the benefit matrix, plus a regional differential, and an additional \$50 for the secondary utility needed to keep the heating system operational. A household may be eligible for an additional Crisis benefit of up to \$200 or \$400 if their situation meets the Crisis criteria defined in this section of the manual.

Beginning with the Fiscal Year 2007 program, a subsidized household with both heat and electric included in the rent will no longer be eligible for a benefit.

All renters with heat and electric included-in-rent will not be eligible for an energy assistance benefit.

**201 HEATING ASSISTANCE BENEFIT LEVELS & HOUSEHOLD INFO**

The benefit computation is completed using the **Energy Assistance Program Benefit Matrix** form (see Appendix C). The matrix sections and instructions follow:

**201.1 Household Information**

Name of Head of Household:	
SSN or Case No.:	County:

Household Income:	Date of Application:

- Enter household and case identification as indicated.

## 201.2 Poverty Level Determination

The Poverty Points are determined by comparing the household's income level and size to the Poverty Guidelines. Points range from 2-6 based on where the household falls on the following chart.

HOUSEHOLD SIZE	<50%		<100%		<150%	
	MO.	YR.	MO.	YR.	MO.	YR.
1	454	5,445	908	10,890	1,361	16,335
2	613	7,355	1,226	14,710	1,839	22,065
3	772	9,265	1,544	18,530	2,316	27,795
4	931	11,175	1,863	22,350	2,794	33,525
5	1,090	13,085	2,181	26,170	3,271	39,255
6	1,250	14,995	2,499	29,990	3,749	44,985
7	1,409	16,905	2,818	33,810	4,226	50,715
8	1,568	18,815	3,136	37,630	4,704	56,445
Add Member	159	1910	318	3820	557	6685
<b>POINTS:</b>	6		4		2	

CATEGORY	FACTORS	POINTS POSSIBLE	POINTS AWARDED
Poverty Points	From Chart Above	2, 4, 6 points	

- Compute the household's gross annual income.
- Locate the point on the chart where the income and household size falls and circle the amount and the number of points to be awarded.
- Enter the number of points on the matrix under Poverty Points.
- Note: The OMB poverty guidelines were updated in June 2011.

The OMB Poverty Guidelines normally change in February of each year. If so, the updated guidelines will become effective in the EAP program on June 1<sup>st</sup> of each year. This will keep the guidelines the same for the entire heating program. The updated guidelines will be implemented with new applications for the Summer Cool and Summer Fill Programs each year.

**201.3 Dwelling**

Dwelling points are awarded based on the relative cost of heating three types of dwellings.

CATEGORY	FACTORS	POINTS POSSIBLE	POINTS AWARDED
Dwelling	Mobile Home	2	
	Single, Site Built	2	
	Duplex or Greater	1	

- Award two (2) points if the household lives in a mobile home;
- Award two (2) points if the household lives in a single, site built dwelling;
- Award one (1) point for households living in a duplex or multiplex (apartments);
- Maximum points are two.

**201.4 Housing Status**

Housing Status points are awarded to factor in whether the household is responsible for all of its utility costs or receives assistance in meeting those costs.

CATEGORY	FACTORS	POINTS POSSIBLE	POINTS AWARDED
Housing Status	Non-subsidized Housing	2	
	Subsidized/ Not Included	0	
	Subsidized / Included	0	

- Award two (2) points if the household pays its own heat utility costs (included or not).
- Award zero (0) points if the household pays its own heat utility cost but the rental cost is subsidized.
- Award zero (0) points if the household's heat utility cost is included in their rent and is subsidized.

- Maximum points are two.

**201.5 At-Risk**

The At-Risk households for the Energy Assistance Program include the elderly (60+), the disabled, and those households with children 0 to 5 years old. (See Section 302.6)

CATEGORY	FACTORS	POINTS POSSIBLE	POINTS AWARDED
At-Risk	Elderly, disabled, and/or children 0-5 years old	3	

- Award three (3) points only if the household has a member who fits one of the At-Risk factor definitions.
- Maximum points are three.

**201.6 Fuel Source**

Points are awarded for the primary Fuel Source based on the relative costs of heating with the various types of fuel.

CATEGORY	FACTORS	POINTS POSSIBLE	POINTS AWARDED
Fuel Source	Bulk Fuels (Kerosene, LP Gas, Oil, Wood, Coal)	3	
	Natural Gas	3	
	Electric	3	
	Heating Included	0	

- Award three (3) points if the household uses one of the listed bulk fuel sources.
- Award three (3) points if the household heats with natural gas.
- Award three (3) points if the household uses electric heat.
- Note; award zero (0) points if the household uses any one of the heat sources above but has heat included as a part of their rent.
- Maximum points are three.

**201.7 Total Points**

Total points are used to determine the amount of the EAP benefits.

Notes & Comments:     <i>If heat and electric are included in rent, benefit is \$0.</i>		= Total Points	
		X \$15 per point	
		+ Electric	\$50
		+ Regional Differential (\$5 Central, \$15 North)	
		+ Crisis EAP	
Intake Worker:	Date:	= <b>TOTAL EAP BENEFIT</b>	

### 201.9 Total Points, *continued*

- Add all of the points in each category for the Total Points.
- Multiply that amount by \$15 per point and enter the subtotal.
- Add the \$50 for the Electric utility, which is already on the form.
- Enter the correct Regional Differential of \$5 for the Central region or \$15 for the Northern region. (See Appendix L in back for Regional Map.)
- Enter the amount of any Crisis benefit, which the household is getting. (See Section 202 for Crisis benefit rules.)
- Add the amount of the points benefit, the electric benefit, the regional differential and the Crisis EAP to determine the **Total EAP Benefit**.
- If a household's subsidized or non-subsidized rent payment includes the cost of both the heat and electric utility adjust the household's EAP benefit to \$0.

### 201.10 Subsidized Households/Utilities Included

If a household's subsidized rent payment includes the cost of the heat and electric utility, the household's EAP benefit is \$0. If the heat and/or electric are paid separate, by the client, that benefit should go directly to the utility. No crisis dollars should be awarded.

### 201.11 Non-Subsidized Households/Utilities Included

If a household's rent payment includes the cost of the heat and electric utility, the household's EAP benefit is now \$0. If the heat and/or electric are paid separate, by the client, that benefit should go directly to the utility. Crisis dollars may be awarded

### 201.12 Completion of the Benefit Matrix Form

Instructions: Complete the form by signing and dating it. Complete the Comments and Notes section as necessary.

## **202 CRISIS ASSISTANCE BENEFITS**

The LIHEAP statute requires that states reserve a reasonable amount of funds each fiscal year for crisis intervention. In Indiana, these funds make up the Crisis Assistance line item in each CAA's budget. (See Section 1400). Funds budgeted for crises should be used at the time of application in an energy emergency.

### **202.1 Crisis**

A crisis means an *energy emergency* where a household is in imminent danger of disconnection, already shut-off, is low on heating fuel, or is totally out of heating fuel. A household that is in imminent danger has received a notice for disconnection from a utility vendor, but has not yet been disconnected.

### **202.2 Crisis Intervention**

The LIHEAP statute requires a *timely and effective energy crisis intervention program* for households in crisis. The Indiana program includes additional benefits and services.

**Timely Intervention** - If the eligible household is experiencing an energy emergency the local CAA and/or its subcontractor must provide intervention that will resolve the crisis within 48 hours from the time of application. Assistance must be provided within 18 hours of the time of the application, if a life-threatening situation exists. This response must be designed to protect the health and safety of the household members. For the agency's part, the extension of Crisis benefits and other services constitutes a proper response to the emergency.

Because agencies take applications on an appointment basis the "time of scheduled application" may be later than when the household in crisis contacts the agency. Agency procedures must be in place to address a crisis within the time frames noted above and from the date of the determination by the agency that the household is in crisis. This can be simply accomplished by maintaining open appointment slots each day to address crisis applications.

Intervention Strategies - Appropriate intervention on the agencies part includes, but is not limited to:

- *Crisis Assistance.* For households whose regular heating benefit cannot assure service (regulated) or guarantee delivery (bulk fuel), the agency must use Crisis Assistance funds to alleviate the situation. Crisis Assistance must guarantee continuation of service or not be offered.
- *Case Work Activities.* If the authorized heating and crisis benefits cannot resolve the emergency, the agency must provide services to the household to secure additional funds. These services include referrals to other sources of utility assistance, intervention on behalf of the family with utility vendors, providing budget counseling with an emphasis on maintaining rent and utilities.
- *Case Management.* Crisis clients should be referred to the EAP Energy Education component. For more extensive intervention with the family, the CAA should have procedures for referrals to the agency's case management component, i.e. Family Development Consultants, or Family Self-Sufficiency caseworkers.

### **202.3 Crisis Assistance Benefits**

In addition to the regular benefit, the agency may extend up to **\$200** in Crisis Energy Assistance to a household with a regulated utility energy emergency as defined above.

Typically, the Crisis benefit will be based on the family's circumstance at the time they apply. The amount of the benefit will be based on the actual amount needed at that time but may not exceed the \$200 maximum. This applies at any time that the household initially applies; before, during, or after the moratorium period.

Families receiving less than the \$200 maximum are not entitled to any additional amount later in the program. This applies even if the household was not originally in an emergency and did not receive any Crisis benefits in the first place.

Households that use bulk fuel vendors and are not covered by the moratorium regulation may be in an energy crisis at any time throughout the winter. Thus crisis-heating assistance for bulk fuel households may be extended up to the maximum, anytime from the beginning of the current year's program, until March 15<sup>th</sup>. This includes offering the maximum crisis at time of application to ensure a minimum delivery. New applicants, after March 15<sup>th</sup> may receive regular and crisis assistance if necessary.

The maximum amount of crisis assistance for a bulk fuel household is **\$400**.

#### **202.4 Outreach**

EAP Program Support funds (See Section 1300) may be used for traditional outreach activities designed to increase awareness of and participation in the program, activities such as:

- Staff activities in the delivery of general information about EAP, as well as other energy-related programs;
- cost of materials such as EAP program pamphlets, energy education information;
- postage for mail-in applications;
- maintenance of seasonal outreach sites;
- overhead costs associated with these activities.

A goal of the program is to increase the participation of at-risk families, by providing outreach that should be directed toward the elderly, disabled, and households with young children.

#### **202.5 EAP Social Services**

EAP funding may be used for a range of social services, everything from short-term crisis intervention to long-term services under the Family Development Plan.

Agencies are encouraged to examine the way in which households are evaluated at intake for further services beyond the provision of the utility assistance benefit and to have in place referral procedures to other areas of the agency, or to other agencies in the community, for delivery of those services.

Assurance 16 (outreach and social services) funds may be used in longer-term activities with Energy Assistance families as established in the CAA Family Development Plan, including case management in the areas of:

Energy

Employment

Adult Education

Health

Housing  
Transportation  
Income Maintenance  
Support Systems

Child Development and Education  
Nutrition  
Family Relations/ Domestic Violence  
Alcohol and Drug Abuse

Many CAAs have been working to strengthen their case management function. Through training and cost allocation, agencies have enhanced their ability to provide social services to EAP households. Through Family Development Consultant certification, agencies can develop staff equipped to respond to families in need of case management.

By combining funds such as CSBG, higher reimbursement rates from Section 8 Family Self-Sufficiency, Weatherization client education funding, and other sources; agencies have an opportunity through cost allocation to fund social service positions to work with EAP households on an intensive basis.

An agency that will provide services using the Family Development process, may budget up to 2% of the agency's contract for such activities.

(See Section 1300 for additional requirements for the use of "Program Support" and "Family Development" funds.)

## **202.6 Weatherization Assistance Program**

Also, households with income up to 200% of poverty should be completed and the applicant told that their household may still be able to receive weatherization services.

## **203 EAP BENEFIT PAYMENTS**

EAP benefit payments are made to the utility vendors on behalf of the eligible household for current utility accounts or past due utility accounts. (Transactions involving home energy payments are no longer exempt from the state gross retail sales tax. The LIHEAP sales tax exemption rule lasted from July 1, 2006 to June 30, 2009).

### Vendors include:

- **Regulated Heating and Electric Utilities** who provide electricity and/or natural gas.

- **Bulk Fuel, LP, and other non-regulated vendors** who provide Fuel Oil, LP Gas, Coal, Wood, or Kerosene. The delivery fee for LP gas, wood, coal, kerosene, or fuel oil should be part of the benefit.

### **203.1 Application of the Regular EAP Benefit**

The household's regular benefit is applied first to the heating bill, even if that results in a credit to the bill (Exception: If an applicant household has a credit balance in excess of \$500.00 they will not be considered eligible for heating assistance).

The \$100 electric benefit is applied to the electric utility bill to maintain the operation of the heating unit.

If the heating source for which the home is designed is not operable either due to disconnection or mechanical failure, the regular benefit should not be provided to the applicant if they are heating with electric space heaters. If the heating source is later deemed operable, during the program year, the client may return for the regular benefit for which they qualified.

If there is an additional amount owed by the household, on the heating and/or electric source, a Crisis benefit may be used to pay it. To be eligible for the Crisis benefit, the household must have lost service, or be in danger of losing service by providing a utility bill with a "**disconnect**" amount showing. The allowable Crisis benefit is the actual amount needed to maintain or restore service, up to the maximum crisis benefit of \$200 for regulated fuel, \$400 for bulk fuel. The agency must show in the client file how the crisis award was determined.

As with regular benefits, Crisis benefits may be used to pay on both the primary and secondary source of heat. The Crisis benefit may be applied to the heat or the electric utility bill, or split among the two as the agency deems appropriate with a total maximum of \$200 offered for regulated customers, \$400 for bulk customers.

A household application may be approved only one time during the heating season.

A household must apply at the Community Action office serving its primary residence.

### **203.2 Electric Utility Payments**

Even though a household may not depend on electricity as a source of heat it is generally required to operate the heating appliance. Thus, to maintain heat it is

important that the electric utility also be kept on. The benefit matrix adds \$100 for the electricity.

In the instance that a household does not have electric service, the household is not eligible for the additional electric benefit.

It is the intent of the program that \$100 be the amount allocated from the regular benefit to the electric utility. Again this year, the agency may not apply more regular benefit dollars to the electric utility and less to the heat.

However, up to the maximum of \$200 (or \$400 for a bulk fuel heated household) in Crisis benefits may be applied to the electric utility if it is not the primary heat source and the crisis amount is warranted. Again, the agency must show in the client file how the crisis award was determined.

### **203.3 Heating with Wood**

For eligible households using wood as their primary heating source, agencies should ensure that households receiving wood meet the following criteria.

- Wood: all wood vended for EAP must be of a good density, such as cherry, hickory, oak, beech, birch, and ash. Types of wood not recommended are maple, elm, gum, sassafras, tulip, aspen, white pine, or poplar. In addition to these woods, IHEDA recommends that no green wood in more than 1/3 to 2/3 seasoned ratios be accepted for delivery to a household.
- Rick: a measurement which is 4' x 8' by 16" - 20" deep.
- Seasoned Wood: at least one year old and dry.

Wood costs are not covered when it is a supplemental heat source.

Clients who heat with wood may be issued a "wood certificate" or voucher by the agency. This would allow the client to select a vendor of their choice. The client and vendor would then complete the "wood certificate" upon product delivery and the vendor would return the voucher to the agency for payment.

Applicants who cut their own wood are not eligible for heating assistance benefits

## **204 EAP BENEFIT - UNALLOWABLE PAYMENTS**

Energy Assistance payments may not be made for the following utility-related expenses:

- utility reconnection fees or deposit fees;
- past-due bulk fuel bills (unless payment of the past due bill prevents an immediate crisis delivery to the household);
- water or sewage bill;
- direct rent payments;
- tampering charges;
- outdoor security lights; or
- appliance payments.

#### **204.1 Limits on Arrears Payments**

The energy assistance benefit may not be applied to that portion of a household's utility bill, which is in arrears over one year from October 1<sup>st</sup> of the current program year.

The CAA EAP program manager may waive this rule. The reason for the waiver is to be documented in the case file.

### **205 DOCUMENTATION OF UTILITY PAYMENTS**

Households applying for the Energy Assistance Program must show a utility bill as a part of documenting their need. This should become part of the applicant's file.

If a household claims that the utility payment is included in the rent, a lease agreement or contract with the landlord stating the landlord's name, address, telephone number, and who is responsible for utilities, is required. If a lease or contract is not available, a Landlord Affidavit must be completed. (See Appendix D for a sample of a **Landlord Affidavit**.) The lease agreement, contract copy, or Housing Affidavit, must be attached to the application form and retained in the client's file. Intake staff must verify that this information has been submitted and is included in the client's file.

All rental applicants will be asked to provide a lease agreement or Landlord Affidavit. A collateral contact by phone to the landlord or management company for verification will be allowable if the household is in a crisis situation.

If an applicant presents a utility bill that does not include their name on the bill at the address they claim to live, then another piece of identification is needed to verify their residence.

All utilities must be listed in the name of a household resident. If the utilities are not listed in the name of a household resident, then the client may be ineligible for EAP benefits.

## 206 RENTERS

### 206.1 Equitable Treatment of Renters

The 1995 Federal LIHEAP reauthorization, and program amendments governing the Energy Assistance Program, clearly state that renters and homeowners must be treated equitably in the determination of energy assistance needs and eligibility.

Households who rent are eligible for the Energy Assistance Program, if they are income eligible and are:

- responsible for payment of heat and/or electric utilities separate from their rent; or

However, if a household's rent payment includes the cost of the heat and electric, the household does not have an energy burden and will not receive an EAP benefit this year.

### 206.2 Direct Benefit Payments

EAP will no longer make direct utility payments to individual households.

In the case of a household, where the heat is included in rent and electric is paid separately, no check will be sent to the client for heat but a \$100.00 payment is to be made by transmittal to the electric utility.

Conversely, if the electric cost is included in the rent and the heat is paid separately, a direct check will not be sent to the client for electric but a payment determined by the matrix is to be made by transmittal to the heating vendor.

## 207 BENEFIT REFUNDS

If a household moves out of the service area of their utility company, leaving a credit on the utility bill, which was paid by the Energy Assistance Program, the remaining amount is to be refunded by the utility company to the household. If the household can not be located, the remaining benefit is to be returned to Indiana Housing and Community Development Authority (IHCDA), who issued payment to the utility

vendor. In case of the death of a recipient, the remaining utility credit becomes a part of the deceased's estate. The client or the client's estate must complete and notarize a refund request form. Refunds may take up to two weeks for processing upon receipt of the completed form.

After application, if a household moves out of the services area of their utility company, or otherwise leaves an open account with a balance due, then the EAP benefit may be applied to the balance before any credit is returned to the CAA.

It is not the intent of the program to pay on a closed or disconnected account.