

The Security Deposit Guarantee Program



DESK GUIDE
(New 11/12)

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Security Deposit Guarantee Program

PURPOSE

The purpose of the Security Deposit Guarantee Program (SDG) is to provide a guarantee to landlords for up to two month's rent for a security deposit, to program eligible consumers who are facing eviction or are without permanent housing.

GOAL

The Security Deposit Guarantee Program is a program offered by the Department of Social Services. The goal of the program is to prevent homelessness by providing consumers the means to obtain permanent housing with a security deposit guarantee.

PROGRAM CRITERIA

To apply for the Security Deposit Guarantee Program a consumer must be a citizen, permanent resident or refugee of the United States per Section 411 of the Personal Responsibility and Work Opportunity Act of 1996, which prohibits the provision of state public benefits to undocumented or illegal aliens unless the state enacts a law providing for such benefits. The state of Connecticut has no such law.

ELIGIBILITY CRITERIA

To be deemed as eligible for a SDG, consumers must meet both the financial and the categorical eligibility criteria as defined below:

Financial Eligibility

There are two categories of financial eligibility. The applicant must meet only **one** of the following requirements:

- (1) The applicant is a current recipient of temporary family assistance (TFA), diversion assistance, state administered general assistance (SAGA), refugee assistance, aid to the aged, blind or disabled, Supplemental Nutrition Assistance Program (SNAP), or Title XIX. If the applicant(s) is on one of the

above programs the family is categorically income eligible. Categorical income eligibility means the consumer does not have to meet any other financial eligibility requirements.

OR

- (2) The annual gross income of the applicant, excluding assets, does not exceed 150% of the federal poverty income guidelines for the household's size, as established by the Federal Department of Health and Human Services.

Categorical Eligibility

There are several ways in which a consumer can meet the categorical eligibility criteria, it should be noted that the client needs only to meet **one** of the following:

- (1) The applicant holds a first time: federal Section 8 housing choice voucher, a Rental Assistance Program (RAP), a Transitional Rental Assistance Program (T RAP) or any other first time rental assistance program **operated by the Department**. A housing voucher issued from any agency other than DSS or the federal government is **not** considered to meet this eligibility category.

The Commissioner reserves the right due to fiscal constraints to close the program to this eligibility criterion. If you are unsure if this criterion applies please check with your supervisor.

OR

- (2) The applicant is currently homeless residing in emergency housing or an emergency shelter in Connecticut as defined below:

- Emergency housing is defined as a temporary residential facility, other than an emergency shelter. This could include a hotel, motel, hospital, state institution including Alternative Incarceration Centers (AIC), or shelter for survivors of domestic violence, a residential substance abuse treatment facility or a nursing home, as part of the nursing home transition program.
- Emergency housing also includes the private residence of a friend or relative who temporarily houses individuals or families displaced within the past sixty days due to an **eviction, catastrophic event or domestic violence**. Please note that a person who is residing with relatives for reasons other than eviction, catastrophic event or domestic violence would not meet this criterion. For example, if a person

voluntarily leaves their place of residence to move in with relatives they would not qualify.

- Emergency shelter means a private or publicly supported structure designed to shelter homeless persons on a temporary basis pending relocation to permanent housing.

*Please note that a transitional living facility, or a transitional living program affiliated with an emergency shelter does not meet the Emergency Shelter criteria because when a client lives in a transitional facility for an extended time, part of the case management services provided should be assisting the client to obtain a security deposit through other means.

(3) The applicant cannot remain in permanent housing.

In this category the consumer must demonstrate that they are being forced to leave their current residence for one of the following reasons.

To verify an eviction the applicant must provide a “Writ, Summons and Complaint.” These are formal court papers that are served on the tenant if he/she does not move out after a Notice to Quit is served. The top page of the papers will have a “Return Date,” which is the date that the case starts in court. The landlord is supposed to file the papers with the court at least three days before the return date.

If the case has been filed in one of the housing court districts (Hartford, New Britain, New Haven, Waterbury, Bridgeport or Norwalk) and the client has not provided you with documentation it can usually be found on the judicial website under “Case Look-Up.” Currently, cases from other parts of the state (eastern and northwestern Connecticut) are not on the judicial website. The website is <http://www.jud.ct.gov/housing.htm> and click on either “Case Search by Premises Address” or “Case Search by Party Name.” If no case comes up when run under “active cases” reset the search for “All Cases” and try again.

- The applicant is being forced to vacate a residence they obtained with a rental assistance voucher operated by the department because the unit failed a housing quality standards inspection when the failure was the responsibility of the owner and the owner refused to correct the condition.
- The applicant has left his/her dwelling to escape domestic violence.

- A catastrophic event, such as a fire or flood has occurred within the 60 days prior to the application date and has made the permanent housing uninhabitable, or the applicant has been ordered to vacate the permanent housing by a local code enforcement official within the prior 60 days.
- The applicant shares a dwelling unit with a primary tenant who is being evicted or who engages in criminal activity.
- The applicant was illegally locked out by the landlord and has filed a police complaint concerning the lockout.
- The applicant is living with a tenant who received a preliminary notice to quit because of the termination of a rental agreement
- The applicant has left the permanent housing because a child in his or her family who resided in the dwelling unit with the applicant has been found to have a level of lead in the blood equal to or greater than twenty micrograms per deciliter of blood and the local director of health has determined, after an investigation, that the source of the lead poisoning was the dwelling unit in which the child resided with the applicant.

Additional program requirements

In addition to the financial and categorical eligibility criteria, the consumer must also meet **all** of the following program requirements:

- The applicant has found a rental dwelling unit in Connecticut which is intended to be occupied as a permanent dwelling. Please note that although the dwelling must be in Connecticut the consumer does not have to be a resident of the state.
- The household meets the affordability criteria, meaning a social worker has determined that the applicant's household income can cover the household expenditures. The regulations do not state exactly what percentage of income makes a dwelling affordable; however, standard practice has been to utilize between 60 and 70 percent of the total household income. Although there is flexibility in the affordability criteria, the social worker should be mindful that if the client moves into an apartment that they are unable to afford, they may face eviction which would jeopardize the consumer's ability to obtain a future SDG.
- The applicant would be unable to afford the security deposit without the help of the SDG program. All other options to obtain a SDG should be explored prior to the granting of a SDG. For example, if a client has a bank account with enough money to cover the security deposit the request should be denied. Additionally,

if the consumer moved into the dwelling prior to the approval of the SDG the SDG cannot take the place of the money's paid to the landlord by the consumer.

- The client has not received a SDG within the past 18 months. Please see the HUT system section, page 8, for a more detailed explanation.

PROCEDURE

PREMILINARY SCREENING

The SDG program is administered by social work services. Requests for services can come in a variety of ways. A consumer may call to request a SDG, at which time the worker would explain the program guidelines and the required documentation. The client would also be instructed to go to his/her nearest Regional Office. If it is the opinion of the social worker that getting to an office would be a hardship to the client, the worker should consult with their supervisor to determine if a home visit to assist with the intake process should be conducted.

Clients may also request a SDG in person at any DSS Regional Office. When a client presents to the social worker he/she will conduct a comprehensive evaluation of the clients needs including a verbal screening to decide if the client could potentially be eligible for the SDG program. While screening for a SDG the client would also be assessed for additional needed services such as, but not limited to, food, clothing, emergency shelter and any issues that may be compromising the consumer's ability to function. After assessing the client and establishing potential eligibility for a security deposit, the social worker shall verify the following:

- HUT system: The HUT system is the computer data base that the Fiscal Unit utilizes to record all SDG's administered, the amount requested and the amount paid out. Although social workers do not record in this system they have access to read the information entered. The system is checked to ensure that no SDG was granted in the past 18 months to any adult applicant whose income is used to meet the affordability criteria. In addition to checking the 18 month criteria, the social worker should also check to see if there has been a payout to a landlord for damages in the past 18 months. Payout amounts are deducted from the amount of the total security deposit requested, and become the responsibility of the tenant to pay.

For example, Assume today's date is December 13, 2008, and the client presented to request a security deposit. A check of the HUT system revealed that a security deposit was issued on July 2, 2004. They moved out of the apartment in July of 2008 and the state made a payout of \$650.00 to the landlord for damages. This would mean that the client is eligible for a SDG as the issued date is more than 18 months. However, because the payout was within 18 months, \$650.00 would be deducted from the amount requested by the new landlord.

- Eligibility Management System (EMS): The EMS system is used by the eligibility staff to record all income and demographic information for all clients receiving state assistance. For the purpose of the SDG program the EMS system is checked to verify categorical financial eligibility, meaning is the client receiving SNAP, TANF, Medicaid, or SAGA benefits. The EMS system also indicates the earned income that the client has reported to their eligibility worker. The actual earned income documented in EMS may not be accurate, as the system may not have been updated by the worker or the client could be reporting to you a different amount than they report to their eligibility worker to meet the affordability criteria.

If the worker does note a discrepancy between the amount of income the client is reporting, and what is documented in the system, with the client's permission, an Inter-departmental Transmittal Form (M2T) is completed and given to the eligibility department. If the client does not give permission to complete the form, then the information in the EMS system is used and all other documentation is not considered in the computation of eligibility or affordability. When the EMS system is updated or social work is able to notify eligibility, the new income is applied to the SDG income and affordability criteria.

- All supporting documentation, such as a a "Writ, Summons and Complaint" and income verification is requested from the client to determine if program eligibility can be established during the first visit. If all the requested documentation is provided during the preliminary screen a Certificate of Eligibility (W604) will be issued. Please refer to Page 11 for a complete description of the Certificate of Eligibility.

If the client appears to be eligible, whether or not supporting documentation has been provided the client is given the intake package, and the paperwork is explained. The social worker should have a highlighter available to note for the client the areas that a landlord will need to complete and sign. Highlighting provides a guideline for the consumer to follow when explaining the paperwork to the landlord which results in more accurate completion of the forms.

Ineligible clients:

If, during the initial screening, the client appears to not meet one of the criteria for eligibility, the social worker will explain this to the client. If the client still would like to apply for the program, knowing they are not eligible, they can do so. In this case an intake package would be given and explained to the client and reviewed when completed.

If it is denied after completion the client is issued a Notice of Action and afforded the right to a Fair Hearing.

Ineligible landlords:

Pursuant to GSD Regulations Sec. 17b-802-11, a landlord who engages in program fraud, misrepresentation or a violation of any aspect of his or her written agreement with the department shall be subject to civil or criminal penalties to the extent authorized by the law. The commissioner, at his or her discretion, may decline to enter into an agreement with a landlord under the Security Deposit Guarantee Program if the commissioner is of the opinion that the landlord has failed to comply with the provisions of the Security Deposit Guarantee Program.

If a social worker and/or a Social Work Supervisor believe that a landlord should be denied an agreement for any reason, please consult with a Program Manager.

Intake Package:

The intake package consists of the following forms; please remember that every effort should be made to verify eligibility while explaining the program and intake paperwork.

1. Security Deposit Program Tenant Information (W-373)

The Tenant Information Form is a pre-application checklist for the consumer to use to clearly outline what documentation he/she will need to return to DSS to establish eligibility. The social worker, while explaining this form would be assessing the client to determine which documentation must be provided. For example: specific questions should be asked about all sources of income to determine what the client needs to return as well as accurately being able to determine affordability. All documents that are required should be clearly written on this form.

2. Security Deposit Program Tenant Responsibilities (W-371)

The purpose of the Tenant Responsibilities form is to clearly explain to the applicant the department's expectation of the client as a tenant to cause no damage to the dwelling unit. Each of the responsibilities should be read with the client and the client must initial during the intake process. The client should be made aware that by initialing, they are indicating that they understand and agree to the responsibility. The form should also be signed by the client in the workers presence.

3. Security Deposit Program Landlord Information Form (W-276)

The purpose of the W-276 is to reinforce for the landlord that the SDG is not a cash program and to discuss and assist the client in explaining the program guidelines to the perspective landlord. It is imperative that the social worker

highlight each of the areas that the landlord must read, initial and/or sign. Each of the areas should be explained to the consumer as well, since it will be his/her responsibility to bring the form to the landlord for explanation/signature.

4. Security Deposit Program Written Agreement to Landlord (W-604)

The Written Agreement is used as the contract between the Landlord and the Department when a Security Deposit is approved. This form is extremely important as once signed by all parties it is a legally binding contract. The following is included in the contract:

- Client demographics, including the address of the dwelling covered by the security deposit and all those who will be residing in the apartment.
 - The DSS office and address issuing the agreement which the landlord will use for sending in any written claim for reimbursement.
 - It states the amount of rent being charged monthly as well as the total amount of the security deposit requested.
 - It provides DSS with the name and address of the landlord which would be used should a reimbursement check be required or for any needed communication.
 - It lists **all** household members
 - It describes the process for landlords to submit a claim for reimbursement.
 - Finally, it states the security deposit amount approved by the department and the amount that the tenant is responsible for providing. This section is completed by the Social Work Supervisor or his/her designee only. Please refer to the landlord reimbursement section page 17 for a detailed description of this process.

5. Security Deposit Program Tenant Inspection Form (W-374)

The purpose of the W-374 is to document a tenant/landlord walk-through of the apartment and identify any areas that are in disrepair prior to moving in. It needs to be explained to the client, that this does not mean they cannot move in, it only provides DSS with documentation that the client did not cause the damage. Subsequently, the landlord will not be able to make a reimbursement claim on that item. The client is informed that they must do the walk-through with the landlord, and both the tenant and the landlord must sign this form. The social worker will highlight all areas on the form that the landlord must initial or sign.

6. Certificate of Eligibility (W-605) (Appendix VII)

A Certificate of Eligibility will be given at any point during the process if eligibility has been **verified**, and every effort should be made to verify eligibility during the initial visit. Verified means the client has provided documentation that proves both homelessness or first time housing voucher and financial eligibility.

So for example a W-605 can be issued if a client brings in a “Writ, Summons and Complaint” and an EMS check shows the client is receiving SNAP benefits. Clients should be encouraged to establish eligibility **prior** to locating housing, however, if they choose they may waive this right. If you are unsure if a W-605 should be issued, please check with your supervisor.

Fair Housing Act:

The purpose of a Certificate of Eligibility is to provide prospective landlords with a document that establishes a consumer’s eligibility to obtain a SDG. This form also provides Fair Housing and Legal Aid with the needed proof that a client was eligible for a SDG if a consumer claim’s discrimination by a landlord based on their refusal to accept a SDG in lieu of a cash security deposit.

Under the Connecticut Fair Housing Act, (Section 46a-64c of the General Statutes) as enforced by the Connecticut Commission on Human Rights and Opportunities, a security deposit guarantee provided by the State is the legal equivalent of a security deposit paid in cash. **It is illegal in Connecticut for a landlord to refuse to accept an otherwise qualified applicant because the applicant has a state security deposit guarantee instead of a cash security deposit with the exception of owner-occupied two family houses.** A landlord is prohibited from discriminating based on “lawful source of income.” This is the same law that makes it illegal for the landlord to refuse to accept a Section 8 voucher if the rent for the apartment is within the limits allowed by the Section 8 program.

Landlord Refusal: If a client calls reporting that a landlord is refusing to accept a SDG, but requiring cash instead, the supervisor or his/her designee should attempt to contact the landlord to explain the law regarding acceptance of the Security Deposit Guarantee and should document the conversation in the Services System. Documentation is important should the issue arise at a later date, potentially in court. Unless the landlord reverses his refusal to rent, the client should be encouraged to report the incident to the Commission on Human Rights and Opportunities in Hartford. To reach the Fair Housing Unit, call (860) 541-3403 or statewide call (800) 477-5737 extension 3403.

Client instructions:

After the program and intake package has been explained to the consumer, he/she is instructed to return to any DSS Regional office after **all** the documentation has been gathered and completed. They are also instructed that this needs to occur in person and cannot be done by mail or fax as their signature will be required after all documentation is provided. Clients will also be instructed that all adult applicants whose income is used to meet the financial, or affordability criteria must also be present to sign the application. **All clients should be encouraged to complete and return the packet as soon as possible to avoid a change in eligibility status.** For example, a client may get a raise at work or exceed the 60 day regulation for residing with a relative as a result of an eviction.

- It is strongly encouraged that clients who have first time RAP and Section 8 vouchers wait until after the apartment has passed the inspection. The reason for this is that if the apartment fails the inspection the SDG may already be entered into the HUT system. This information will need to be corrected because the HUT system will look as though the client received a SDG in the past 18 months and will not allow for another. If this does occur the Deputy Commissioner will have to approve an exception for the fiscal department to correct the system, and this process can take several weeks. Please refer to the Administrative Exception section, page 20, for a detailed description of this process.

Documentation:

The social worker opens a non-case activity under SDG and enters a narrative. The narrative should include any of the following information that is pertinent to the case:

1. Client verbally stated or provided proof of homelessness or first time section 8 or RAP.
2. Client either stated or provided proof of income eligibility and the result of the EMS check.
3. HUT system was checked and the results of that check
4. Any information that may be pertinent such as other potential applicants to this unit.

An example of a narrative could be: Client presented to intake requesting a SDG. Ms. S. reports she is being evicted and provided this worker with a “Writ, Summons and Complaint. An EMS check showed that the client is receiving SNAP benefits; HUT system was checked and shows no prior SDG’s. Client was issued a Certificate of Eligibility, program and paperwork was explained and client was instructed to return to any DSS office when the paperwork is complete.

APPLICATION PROCESS

When the client returns to the DSS office, the social worker will review the paperwork to assess for its completion. If the packet is **not** complete, the social worker will explain verbally and in writing to the client what is needed and the packet is returned to the client for completion. If the packet is completed, an Application (W996) is filled out and explained to the client.

SDG Application (W996)

The W-996 is a two part form. Part one of the form provides financial information and verifies if the client has had a prior SDG. Both the client and the social worker sign this form verifying that the information provided is agreed upon as correct.

Definition of applicant and special circumstances: The applicant(s) who are recorded on and required to sign the application are any persons 18 or over, who reside in the dwelling who will be financially contributing to the household. This income is utilized to meet both the affordability and the 150% of the Federal Poverty income guidelines. So for example, if an adult child lives in the home, but does not contribute financially, they would not be an applicant. If however, the adult child works full time, and contributes income, and this income is used in the computation of affordability and income guidelines, they would be considered an applicant and required to sign the application.

When more than one applicant is listed, the total amount of the security deposit is divided and assessed to each person. For example, if the amount requested is \$800 and there were two applicants, one applicant would be entered in the HUT system responsible for \$400 and the other would also be listed for \$400.

Another circumstance that may arise is when one applicant is eligible for a SDG, but the other applicant is not, because they have had a SDG within the past 18 months. In this case the same rule would apply as above, both incomes would count toward the SDG eligibility criteria, however, only the client who is eligible would receive the SDG and it would be for one half the amount requested. The ineligible client would be responsible to pay the other half of the SDG.

At times a client will meet the homeless criteria, and be categorically financially eligible but will not meet the affordability criteria alone, but has a roommate who is contributing to the household. If the roommate is not also categorically income eligible, they must meet the 150% of the FPL guideline. If they do not, then the roommate is deemed

ineligible, and must be responsible to pay their half of the security deposit. The client however is eligible and would receive a SDG for one half the amount requested by the landlord.

If you are unsure about who should sign the application, or if a client is eligible please consult with your supervisor.

Affordability: Application Part Two

Part two of the application is for the social worker to complete independent of the client. It is used by supervisors for program approval purposes. It provides the Social Work Supervisor with information needed to determine affordability vs. first time Section 8 or Rap. Please note that if the application is a first time RAP or Section 8, the affordability section is not completed as there are no affordability criteria to meet.

* Please note that if the program is closed to first time RAP or Section 8, clients who hold an approved housing certificate, may still apply under the homeless criteria if eligible. In this case the affordability criteria must be met because all homeless cases have affordability criterion.

Documentation:

The social worker then opens a case in the Services System under homeless services. He/she writes a narrative indicating that the completed application was taken and given to the supervisor for final approval.

Program Ineligibility:

If a client returns a packet and the social worker in his/her review determines that the client has not met all the requirements of eligibility, the worker will verbally notify the client that they are not eligible and why. The worker will also explain to the client the fair hearing process. The packet is then given to the supervisor for a final review. Once denied by the supervisor, the social worker completes and sends a W-944 Notice of Action, to the client.

Pursuant Sec. 17b-802-12 of the State of Connecticut SDG Regulations: A person aggrieved by a denial of a security deposit guarantee shall be given an opportunity for a fair hearing. A person aggrieved by a reduction in the amount of a second or subsequent security deposit guarantee shall be given an opportunity for a fair hearing.

Application Approval:

If the application is approved, the supervisor fills in the agreement form with the amount approved and writes a narrative in Services System in homeless services. The packet is returned to the social worker or clerical staff for mailing and filing.

Clerical task:

Below is a listing of the distribution of the completed forms:

1. The following original forms go to the Direct Services Payment Unit, Fiscal Administrative Assistant:
 - Application Form
 - Agreement Form
 - Tenant/Landlord Inspection

2. The landlord receives a copy of the
 - Agreement Form
 - Tenant/Landlord inspection
 - Landlord Responsibilities

3. The tenant receives a copy of the
 - Application
 - Agreement Form
 - Tenant Responsibilities
 - Tenant/Landlord inspection

4. All documentation is copied and filed and maintained in the regional office

Final Documentation:

Once a final determination is made and all the forms are completed and copied, the Social Work Supervisor writes a narrative in the Services System under the Homeless Services case and will close the case, or have the social worker close the case.

LANDLORD REIMBURSEMENTS

Landlord reimbursements are the responsibility of the supervisor or his/her designee. A landlord is eligible to request from the department a reimbursement for damages and/or unpaid rent **after** the consumer has vacated an apartment. Sometimes a landlord will request unpaid rent or damages prior to a tenant leaving, in these cases it should be explained to the landlord that no payments can be made until the client has vacated regardless of the current reported damage.

Reimbursement Procedure:

All requests from the landlord for reimbursement must be submitted in writing to the regional office within 30 days of the date the tenant vacated. When the claim is received the supervisor will check the Services and HUT Systems to verify the client and the landlord have a signed Security Deposit Guarantee contract. If there is not a signed contract, but the landlord insists that payment be made, please consult with your Program Manager.

If there is a signed contract the landlord must provide the following items for a Supervisor to review:

- A listing of damages being claimed
- The dollar amount requested for each item
- The total amount requested for reimbursement
- The date the client vacated the apartment
- All documentation that supports the claim including but not limited to: court documentation, receipts, invoices, estimates etc.
- Pictures of damage

The supervisor reserves the right to request any additional information they need to make a determination. Department staff also has the right to inspect the apartment to verify the alleged damage prior to authorizing a reimbursement check.

Client notification:

Because a paid claim impacts a clients ability to obtain future SDG's, it is imperative that every effort be made to notify the client that a claim for damages has been submitted by the landlord. Therefore, a Tenant Letter (W-593) should be mailed immediately to the

client. If the client has not reported a new address to the Department, the letter should be mailed to the old address. Although the regulations state that we will give the tenant 10 days to respond to the letter, best practice would allow for 15 days for the Post Office to forward the letter to the new address if it has been reported to them. However, if the landlord is requesting the money immediately, you must adhere to the 10 day regulation.

No response: If the client has not responded within fifteen days to the W-593 the supervisor may proceed with the claim reimbursement.

Landlord Notification:

At the same time that a W-593 is mailed to the client, a Landlord Letter, W-594 should be mailed. This letter acknowledges receipt of the claim and requests from the landlord any additional information or documentation needed to process the claim. It also notifies the landlord that the claim will not be processed for 10 days, giving the client an opportunity to dispute the claim.

Supervisory Review:

When the landlord submits all the documentation requested and the client is not disputing the claim the case is reviewed by the supervisor. The review process is individualized for each case but some thought should be given to what is approved and denied. Property damage may be measured by repair cost or by value, as appropriate, and no payouts should be made for “normal wear and tear.” Normal wear and tear is discretionary, but excessive payments should not be made. For example, if a landlord is requesting that hardwood floors be refinished, and the client has lived there only a year, the state should not be responsible. If an area of the floor was damaged by the client, then only that part should be compensated with the cost proven by an estimate.

It is also important to note that replacement cost is usually not allowed, (Lenares v. Mensah, H-1040 (1995) landlords are only entitled to the value of the property at the time of destruction. For example if a landlord makes a claim that a 40 year old door was broken, the landlord would only get the value of a 40 year old door not the replacement cost of a new door. Remember that the burden of proof lies with the landlord, not the tenant.

Painting is also a judgment call. If a client has resided in an apartment for a year and caused the damage to the paint, (i.e. a child drawing on the wall for example), then the landlord may be reimbursed, however, if the client lived there 10 years, then this would fall under normal wear and tear.

If you have any questions or concerns about a reimbursement, you can always request more proof from the landlord or consult with your Program Manager or the Housing Manager.

Best practice would also dictate that if the Department determines that it is going to deny a claim or part of a claim, the landlord should be notified both by phone and in writing. The Program Manager should also be made aware if the landlord is disputing the denial.

Client Disputes:

If the client is disputing the claim then the supervisor would do an administrative review, and the landlord should be immediately notified. An administrative review can happen on two levels. The first level would be requiring the client to provide documentation, or proof that they did not cause the damage, or did pay the rent. Often in speaking to the client they may report that an item was damaged prior to them moving in. In this case, the supervisor should check the tenant inspection form, if the client and landlord did NOT note on this form that there was prior damage, then the clients claim should be denied and the landlord paid.

If the client or landlord still do not agree with your decision, a face to face administrative review may be required. This can be done by the supervisor or any neutral third party who is of a supervisory level or above. In this case both the client and landlord would come to the office with proof, the case would be heard and a final decision made and reported to both parties within 10 days.

Final reimbursement determination:

After the final determination is made, a reimbursement form (W-587) is completed and sent to the fiscal department at Central Office, who reviews the documentation and issues the check. The check will go to the supervisor in the regional office. The Supervisor will make a copy of the check for the case record, and mail the check to the landlord in a "Security Deposit Guarantee Stuffer." If the landlord wishes to pick up the check in person they must provide identification and sign the copy of the check.

ADMINISTRATIVE EXCEPTIONS

Under certain circumstances exceptions to the regulations can be made. For example; a client had to escape a domestic violence situation and had a SDG within 18 months. Exceptions can only be granted by the Deputy Commissioner. To apply for an exception the process is as follows:

- The case should be discussed with your supervisor to determine if an exception may apply.

- If the supervisor determines that an exception is warranted, the social worker should write a memo to the Deputy Commissioner explaining the situation and the reason for the request.
- The memo, before going to the Deputy Commissioner must be approved by both your supervisor and your Program Manager. For this reason, on the memo please have a place for both to sign.
- After the Program Manager signs the approval, it is given the Housing Program Manager to log in, and then given to the Deputy Commissioner for final approval.

Please note that this process can take a couple of weeks, and the time frame should be explained to the client. If you have any questions about the exception process, please consult with your supervisor.

Appendix

All forms are available as a hyperlink by clicking on the form number in the text of this electronic manual. For paper manual users the forms are available on the DSS Web in the forms section under social work.