
Heating Equipment Repair and Replacement

Introduction

Importance HEAP includes a number of benefits for eligible clients, including the Heating Equipment Repair and Replacement (HERR) component. HERR provides assistance for repairing or replacing essential primary home heating equipment.

Workers who make HEAP eligibility determinations play a key role in administering the HERR component for their clients and must understand the HERR component's unique procedures and requirements.

This session reviews: the HERR application process, including eligibility criteria; how to make HERR resource determinations; when to repair and when to replace equipment; the payment of HERR benefits; and questions and answers that arose during the previous HEAP season.

Overview The following topics are included in this module:

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Introduction, Continued

Objectives

By the end of this module, you will be able to:

- Describe the procedures for administering the HERR component.
 - Explain the eligibility requirements for HERR benefits.
 - List guidelines for selecting repair versus replacement of heating equipment.
 - Identify and avoid common errors associated with administering the HERR component.
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For Further Information

For further information on this topic, please see:

- 22-LCM-12, 2022-2023 Home Energy Assistance Program (HEAP)
 - 22-LCM-12, Attachment 1, Heating Equipment Repair and Replacement Reference Tool
 - OTDA HEAP Manual
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Forms

The following documents are relevant to the HERR component:

- HEAP HERR Screening Form (LDSS-5010)
 - Home Energy Assistance Program (HEAP) Application (LDSS-3421)
 - HEAP Heating Equipment Repair and Replacement (HERR) Worksheet (LDSS-4867)
 - HEAP Heating Equipment Repair/Replacement Job Proposal (LDSS-4867A)
 - Documentation Requirements (LDSS-2642)
 - HEAP Notice of Eligibility Decision - Approval (LDSS-3494A)
 - HEAP Notice of Eligibility Decision - Denial (LDSS-3494B)
 - HEAP Guarantee of Payment Letter (LDSS-5000)
 - DHCR WAP #37 Referral Form
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Overview of the HEAP Heating Equipment Repair and Replacement (HERR) Component

Introduction Heating Equipment Repair and Replacement (HERR) benefits are available to assist HEAP eligible homeowners with the cost to repair or replace the household's primary heating equipment when the equipment has been documented by a participating vendor to be inoperable or unsafe, and in need of repair or replacement.

Additional HERR Requirements

The HERR component has eligibility requirements and administrative procedures that differ from those for other HEAP benefits, including the following:

- An interview is required for all HERR applicants, including Temporary Assistance (TA) and Supplemental Nutrition Assistance Program (SNAP) recipients. Interviews can be done either in person or over the telephone.
- Full documentation is required to verify eligibility for all applicants. Permanent documentation on file with the district must be utilized when possible.
- Primary heating equipment cannot be replaced if the applicant's heating equipment was replaced in the previous 10 years with HEAP funds.
- Primary heating equipment must have been operational and used in the last 12 months.
- Proof of home ownership must be documented.
- Resolution timelines for no-heat emergencies must be followed.
- 100% supervisory review is required with two levels of application review. A case supervisory review (CSR) process cannot be used to meet this requirement.
- Resources must be documented and within the established limit.
- Households must be referred for weatherization services.

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Overview of the HEAP Heating Equipment Repair and Replacement (HERR) Component, Continued

Alternate Certifiers

Social services districts (districts) are the sole certifiers for the HERR component, although districts may contract with alternate certifiers to assist in the application and/or outreach processes.

Note: Alternate certifiers may not make final eligibility decisions, contract for work, guarantee benefits, or issue notices for any HEAP component.

Application Process Overview

Below is an overview of the HERR application process. Each of the steps in the application process must be completed and will be reviewed in detail in this training module.

1. Initial contact; district completes the Heating Equipment Repair and Replacement Screening Form (LDSS-5010) with client.
 2. Client completes and submits the HEAP Application (LDSS-3421) in person or by mail.
 3. The district reviews and evaluates the HEAP Application (LDSS-3421).
 4. The district conducts an interview either in person or over the telephone and completes the Heating Equipment Repair and Replacement Worksheet (LDSS-4867) with the applicant.
 5. The district determines eligibility or pends the application utilizing the Documentation Requirements (LDSS-2642) form if required.
 6. The district completes a worker and supervisory review and sign off.
 7. The district notifies client of the eligibility decision no later than 30 business days from the date of receipt of the final invoice for payment.
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Overview of the HEAP Heating Equipment Repair and Replacement (HERR) Component, Continued

HERR Component Forms

Mandatory forms used in the administration of the HERR component are listed below:

- HEAP Heating Equipment Repair and Replacement Screening Form (LDSS-5010)
- HEAP Application (LDSS-3421)
- HEAP Heating Equipment Repair and Replacement (HERR) Worksheet (LDSS-4867)
- HEAP Heating Equipment Repair/Replacement Job Proposal (LDSS-4867A)

Use of the HEAP Guarantee of Payment Letter (LDSS-5000) is optional, but this form must be used if a written guarantee is sent.

HERR Case Records Requirements

It is the district's responsibility to retain case records related to the HERR component for 10 years.

All case records must contain the following:

- Current signed and dated HEAP Application (LDSS-3421), with a completed page 7 (Agency Use Section)
 - All supporting documentation
 - Completed HEAP Heating Equipment Repair and Replacement Screening Form (LDSS-5010)
 - Completed HERR Worksheet (LDSS-4867)
 - All applicant-signed, HEAP Heating Equipment Repair/Replacement Job Proposals (LDSS-4867A)
 - Documentation Requirements (LDSS-2642) if one was sent
 - Completed HEAP Guarantee of Payment Letter (LDSS-5000) if one was sent
 - Final itemized bill on vendor letterhead
 - DHCR WAP #37 Referral Form
 - Case notes
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Practice: HERR Scenarios

Directions As a large group, you will review each scenario and respond to the question.

Scenario 1 The district has obtained two bids for HERR for a repair. One was in the amount of \$700 and one for \$1,000. The proposal that was selected for the repair was the \$700 proposal. While the vendor was on-site, the vendor contacted the district and indicated that the unit calls for an unexpected repair in the amount of \$400, increasing the total amount of the repair to \$1,100.

How should the district proceed?

Scenario 2 An applicant is applying for HERR for a replacement as their heating system has been red tagged and is inoperable. The homeowner on the deed is the applicant's parent, who is deceased. The applicant is residing in the trailer and has been living in the residence for 5 years. They meet all other eligibility criteria.

If the deceased parent is listed on the deed as the homeowner, is the applicant eligible?

Continued on next page



Practice: HERR Scenarios, Continued

Scenario 3 A Clean and Tune/HERR vendor visits a HEAP eligible applicant home to perform clean and tune services and they discover that the heating equipment is not operating. While onsite, the vendor completes the HERR Job Proposal (LDSS-4867A) for the replacement bid.

The vendor submits both of the following:

- A bill for a clean and tune site visit for their time spent on the clean and tune referral, and
- A bill for an estimate fee for the job proposal

If the vendor is not awarded the bid for HERR, does the district pay both fees?

Scenario 4 An applicant is having trouble obtaining two HERR vendors to complete the bidding process.

How should the district proceed?

Continued on next page



Practice: HERR Scenarios, Continued

Scenario 5 A HERR vendor conducted an on-site assessment and indicated that the boiler is running, but is very old, not efficient, and possibly unsafe. The unit is too old to repair and/or the parts are unavailable.

As this is not a true “no-heat” situation, is this household eligible for a replacement based on the vendor’s assessment?

Scenario 6 The district has received multiple bids, all for replacements well over the \$8,000 maximum.

How does the district proceed?

Scenario 7 A rebate is being offered by the utility company on a unit that was installed in the HEAP applicant’s household.

Does the rebate go to the homeowner or the vendor?

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Practice: HERR Scenarios, Continued

Scenario 8 The vendor is onsite and has completed the work for installing a new boiler. The applicant is requesting that the vendor leave old parts in the residence.

Is this allowable?

Scenario 9 An applicant is applying for HERR for the mobile home that they are claiming to own. The applicant does not have a bill of sale or title, as they purchased the home many years ago. The mobile home park manager has provided a statement indicating that the applicant has resided in the home for a number of years.

Is this acceptable documentation for homeownership?

Scenario 10 Multiple vendors have attempted to provide a job proposal for an applicant, but all are refusing due to a hoarding situation in the home. The vendors have stated that it is unsafe for the workers to complete the job.

How should the district proceed?

HERR Application Process

HERR Screening Form

The HEAP Heating Equipment Repair and Replacement Screening Form (LDSS-5010) was created to assist HEAP workers in assessing whether an application for HERR is appropriate. This form is mandatory and must be completed when the applicant contacts the district to inquire about a heating equipment repair or replacement. This form must be completed by the worker over the telephone or in person with the applicant.

The HERR Screening Form is used to identify households that may not meet the eligibility requirements for HERR, such as applicants who have not owned their home for 12 months. The worker can explain the rules of HERR to the applicant and allow the applicant to choose whether they would like to continue the application process.

If the applicant chooses not to proceed with the HERR application and does not complete the HEAP Application (LDSS-3421), no further action is necessary and an eligibility determination must not be made.

Workers should also use this form to assess the household's no-heat situation and whether emergency resolution action is needed.

Applying for HERR

All applicants, including TA or SNAP recipients, must complete the current version of the HEAP Application (LDSS-3421), when applying for the HERR component.

Applications for the HERR component may not be submitted using myBenefits. All applicants require an interview which can be done in person or over the telephone. An in-person interview is no longer required, but may be conducted if the applicant would prefer one.

HERR Application Case Supervisory Review

All HERR applications require two levels of review, including a supervisory review. A case supervisory review (CSR) process cannot be used for this component.

It is strongly recommended that the district designated HEAP Coordinator perform review and sign-off as the supervisor on all HERR benefit applications, unless the HEAP Coordinator has determined eligibility. In that case, a supervisor one level up must sign off.

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HERR Application Process, Continued

**Applicant
Must Be
Homeowner**

Applicants for HERR must be the documented homeowner of the dwelling and must have owned, and resided in the dwelling for the 12 months preceding the month of application.

Homeownership is verified by a recorded deed or title. Based on the type of dwelling, ownership **must** be verified by obtaining the documentation listed in the table below.

| Dwelling Type | Accepted Verification of Ownership |
|------------------------------|--|
| Single- and Two-family Homes | Recorded deed, or Verification through county’s real property website for homes purchased more than one year prior to application |
| Mobile Homes 1995 or Newer | Title |
| Mobile Homes Older Than 1995 | Bill of sale, or Sales contract If neither the bill of sale, nor sales contract can be located, then the applicant must provide two of the following: <ul style="list-style-type: none"> • Tax bill/paid tax bill receipt • Mortgage papers/payment book or loan payment receipts • Mobile home lot rent receipts/statement from park owner • Loan papers |

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HERR Application Process, Continued

**Life
Estate/Life
Use**

Life estate and life use are considered ownership, unless the deed or life estate contract specifies that the deeded owner, not the individual with life use, is responsible for repairs and/or maintenance.

Life estate/life use must be either part of the deed or other legal document **executed at the time of the original property transfer**. Modifications made to meet eligibility requirements do not meet ownership requirements for the HERR component.

Example: John wants John's child, Patty, to inherit John's home after John is deceased. John transfers the title of the single home deed to Patty while John is still alive; however, John maintains "life use" and remains living in the home. John is still responsible for repairs of the home, even though Patty holds the title.

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HERR Application Process, Continued

Homebound Applicants for HERR

Reasonable accommodations should be explored with homebound applicants to assist with HERR application requirements. Such accommodations may include the following:

- An authorized representative who is permitted to apply for HERR benefits on behalf of the homeowner.
Note: The authorized representative must provide a written statement to that effect signed and dated by the applicant, or the representative must be designated by the applicant on page 6 of the HEAP Application (LDSS-3421).
 - An individual with power of attorney is permitted to apply for HERR benefits on behalf of the homeowner/applicant; the power of attorney must be documented in writing and retained in the case record.
 - An agency representative or alternate certifier may conduct a home visit if necessary and appropriate.
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Application Timeline for HERR

Application Date: The application date for HERR applications is the date the applicant submits the completed, signed and dated HEAP Application (LDSS-3421) to the district or to the alternate certifier contracted to accept applications.

Pending: Applications for the HERR component may be pended for information or documentation for no more than a total of 10 business days.

Written Notice: Applicants must be provided with a notice of the eligibility decision for HERR no later than 30 business days from the date of the receipt of the final vendor invoice for payment.

Note: Most applicants receive their notice of eligibility after the actual HERR work has been completed. In order for the system to send the appropriate notice, a HERR ABEL budget must be stored, and a payment line must be written. However, the district cannot write the payment line until after receiving a final invoice from the vendor and verifying client confirmation that the heating equipment was installed satisfactorily.

If an ABEL budget is not stored, a CNS notice will not be produced.

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HERR Application Process, Continued

**HEAP
Pending
Case Report**

As HEAP funding is limited and closely monitored, accurate reporting by the district is critical. The number of cases pending an eligibility decision and/or final invoice and not authorized in WMS for the HERR component must be included in the HEAP Pending Case Report submitted by the district weekly in eReports.

**Regular
HEAP
Benefit**

In cases where the HEAP eligible household has not received a Regular HEAP benefit at the time of application for the HERR component, a Regular HEAP benefit must also be processed.

Note: This requirement only applies during the time period that the Regular benefit component is open.

- If HERR eligibility is determined at the same time as the applicant's Regular HEAP eligibility, a combined stored Regular & Emergency (HERR) budget may be used.
 - If HERR eligibility is determined before or after Regular HEAP eligibility is determined, a separate stored Emergency (HERR) budget is required.
-

HERR Equipment-Related Heating Emergencies

Introduction Applicants for the HERR component must be experiencing a heating emergency related to their essential primary heating equipment being unsafe or inoperable.

Any emergency heating need of a household applying for the HERR component must be resolved by the district within the specified timeframes for emergency resolution.

Continued on next page

HERR Equipment-Related Heating Emergencies, Continued

Emergency Heating Resolution Timeline

Emergency resolution is defined as the action taken to ameliorate an eligible household’s no-heat emergency. Resolution may include but is not limited to; access to temporary alternate housing or safe supplemental heat. Resolution must occur within the timeframes prescribed below.

- **If the eligible household is without heat** – appropriate action must be taken within 18 hours of the emergency benefit application date.
- **If loss of heat is imminent for an eligible household** – appropriate action must be taken within 48 hours of the emergency benefit application date.

The application date for HERR Component is the date the signed and dated HEAP Application (LDSS-3421) is submitted to the district.

The appropriate resolution to the heating emergency may vary based on the applicant’s HEAP eligibility.

The date of the emergency resolution must be entered on page 2 of the HERR Worksheet (LDSS-4867).

The emergency resolution date is the date that the district has confirmed the household has safe supplemental heat, is temporarily relocated, etc.

The date that the applicant’s repair/replacement work was completed is not the emergency resolution date unless the work was completed within the appropriate emergency timeframes as noted above.

Note: Some action must be taken by the district to resolve the emergency heating situation of an applicant household within the appropriate timeframe, regardless of eligibility status.

| EMERGENCY RESOLUTION | |
|--|--|
| Action to resolve the emergency situation must be taken within 18 hours of application date if the household is without heat or within 48 hours if loss of heat is imminent. | |
| How was the emergency resolved within the 18/48 hour timeframes for the HEAP ELIGIBLE household? | |
| <input type="checkbox"/> Heating equipment repaired | <input type="checkbox"/> Heating equipment replaced Work completed on _____ |
| <input type="checkbox"/> Access to alternate temporary housing | <input type="checkbox"/> Safe supplemental heat <input type="checkbox"/> Household relocated |
| <input type="checkbox"/> Other _____ | |
| If the applicant is not eligible for HEAP or eligibility cannot be determined within the required timeframes, how was the emergency resolved? | |
| <input type="checkbox"/> Referred to community organization | <input type="checkbox"/> Referred to TA <input type="checkbox"/> Safe supplemental heat <input type="checkbox"/> Access to temporary alternate housing |
| Date of Resolution: _____ | |

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HERR Equipment-Related Heating Emergencies, Continued

Emergency Heating - Applicant Is Not HEAP Eligible or Eligibility Cannot Be Determined Within 18- or 48- Hours

For those households applying for the HERR component where the applicant is not HEAP eligible or HEAP eligibility cannot be determined within the 18 or 48 hour timeframe, the immediate heating need of the household may be resolved through one or more of the following:

- Referral to TA
- Referral to a community resource
- Provision of safe supplemental heat
- Access by the household to temporary alternate housing
- Provision of, or referral to temporary housing funded through the appropriate program type

Note: In some cases, more than one action may be appropriate to resolve the immediate heating emergency.

Emergency Heating - HEAP Eligibility Is Determined

For those households applying for the HERR component where HEAP eligibility is determined, the immediate heating need of the household may be resolved through one or more of the following:

- Repair of the heating system within the 18 or 48 hour timeframe
- Replacement of the heating system within the 18 or 48 hour timeframe
- Provision of emergency HEAP funded temporary relocation, if available.
- All emergency resolution options available to non-eligible applicants, listed in the block above

Note: In some cases, more than one action may be appropriate to resolve the immediate heating emergency

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HERR Equipment-Related Heating Emergencies, Continued

Temporary Relocation

Temporary relocation for an eligible household may be considered when the residence has been determined to be unsafe and where it has been determined that the deficiencies cannot reasonably be corrected in a timely manner that would ensure safe, healthy habitation.

If the applicant declines an offer of temporary relocation, it must be documented in the case record.

The HEAP temporary relocation benefit is limited to \$500. In counties outside of NYC, WMS payment code HEAP Emergency Benefit-Shelter/Relocation (H6) is used for HEAP temporary relocation.

Note: Temporary relocation may only be HEAP funded while the Emergency Component of HEAP is open.

Documenting Emergency Heating Resolutions

It is important to thoroughly document how and when the heating emergency was resolved for every application. This must be noted on page 2 of the HERR Worksheet (LDSS-4867).

| EMERGENCY RESOLUTION | |
|--|--|
| Action to resolve the emergency situation must be taken within 18 hours of application date if the household is without heat or within 48 hours if loss of heat is imminent. | |
| How was the emergency resolved within the 18/48 hour timeframes for the HEAP ELIGIBLE household? | |
| <input type="checkbox"/> Heating equipment repaired | <input type="checkbox"/> Heating equipment replaced Work completed on _____ |
| <input type="checkbox"/> Access to alternate temporary housing | <input type="checkbox"/> Safe supplemental heat <input type="checkbox"/> Household relocated |
| <input type="checkbox"/> Other _____ | |

Additional Information on Heating Emergencies

For additional details and procedures regarding resolving heating emergencies, refer to the OTDA HEAP Manual. Applicants may be referred to TA if the HERR component is closed or unavailable.

Additional training entitled *HEAP Heating Equipment Repair and Replacement* is also available on Trainingspace.ny.gov.

HERR Eligibility Criteria

Introduction Once an applicant submits a completed HEAP Application (LDSS-3421) and the HEAP HERR Worksheet (LDSS-4867) completed with an eligibility worker, along with all necessary documentation, the district must evaluate the application based on a variety of HERR eligibility criteria.

Households must meet all of the basic HEAP eligibility requirements outlined in the HEAP Manual plus additional eligibility requirements for HERR. These include detailed criteria related to the applicant, household, dwelling, and heating system.

HERR Worksheet (LDSS-4867) The worker evaluates the application for HERR eligibility by performing an interview and completing the HERR Worksheet (LDSS-4867) with the applicant, either in-person or over the telephone.

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HERR Eligibility Criteria, Continued

Residence and Ownership Duration

The dwelling must be the applicant's current primary residence, and the applicant must have **both owned and resided in** the dwelling for the 12 months preceding the month of application.

Documentation of duration of residency includes, but is not limited to the following:

- Mail with the applicant's name and address received during the time period
- Bills for services, such as phone, utility, or trash pickup during the time period
- School records during the time period
- Voter registration documents that contain the address during the time period
- Employer records during the time period

Note: A household that has temporarily relocated due to the lack of heat, unsafe conditions, or who meets other HEAP temporary absence rules is considered to meet the residency requirement.

Household Criteria

Eligibility is determined based on household circumstances for the month of application. All of the following factors must be considered:

- Determination of the HEAP household and household size
- Citizenship status of household members
- Calculation of household income and available liquid resources
- Comparison of household income and available liquid resources to established income and resource guidelines

Note: Income and resource tests for eligibility for the HERR component are discussed in detail in the next section of this module.

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HERR Eligibility Criteria, Continued

Dwelling Criteria

To be eligible for the HERR component, the applicant's dwelling must:

- Not be in condemned status and not considered unsafe, nor unfit for habitation.
- Have a current heating system that has been used as the primary heating system in the dwelling sometime within the 12 months preceding the month of the application.
- Have no more than two living units.
- Not be registered with the Department of Motor Vehicles as a roadworthy trailer or mobile home as these are not considered permanent primary residences.
- Be in compliance with all local building and safety codes.

An applicant's dwelling is ineligible for the HERR component if:

- It is being purchased through a land contract or a rent-to-own contract.
- The applicant's homeowner's insurance is available to cover the full cost of the equipment repair or replacement.
- The homeowner has a signed sales contract to sell the dwelling for which they are applying for assistance.

Note: Dwellings that are in foreclosure or for sale on the open market must be assessed on a case-by-case basis.

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HERR Eligibility Criteria, Continued

Heating Equipment Criteria

To be eligible for HERR benefits, the existing heating system that the applicant is applying to repair or replace must:

- Be present on-site and connected.
 - Be inoperable or unsafe at the time of application, as documented by a HEAP participating vendor with a signed vendor agreement on file with OTDA.
 - Not be inoperable due to flood, fire, or other natural disasters.
 - Not be a covered claim under homeowner's insurance.
 - Have been used as the primary heating system in the dwelling sometime within the 12 months preceding the month of the application, as documented by any of the following:
 - Fuel delivery slips during the time period
 - Confirmations of payment for fuel during the time period
 - Confirmation through utility website of an active account with usage for gas or electric during the time period
 - Other collateral contact with the home energy vendor during the time period
-

HERR Income and Resource Tests

Introduction Eligibility for the HERR component must be evaluated on both income guidelines and resource levels for the applying household. Although income guidelines are the same for all HEAP components, there are some notable differences in the determination of resources from the Emergency component that must be considered, such as:

- Resources of all household member and any co-owners of the residence who do not reside in the residence.
- How much of an applicant's available resources the applicant must contribute to the cost of the heating equipment repair or replacement, if they are over the resource limit.

Note: Income deeming does **not** apply for the HERR component. A HEAP Application (LDSS-3421) must be completed for all applicants, and income in the month of application must be determined.

Income Eligibility Households must meet the established HEAP income guidelines for the program year to be eligible for the HERR component.

When the **homeowner applicant** is in active ongoing receipt of TA, SNAP, or Code A SSI, the household is categorically income eligible for HERR benefits.

Note: If one or more household member is in receipt of active ongoing TA, SNAP, or Code A SSI, but the homeowner is not, the household is not considered categorically income eligible for HERR benefits.

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HERR Income and Resource Tests, Continued

**Liquid
Resource
Availability**

Available liquid resources must be explored for all household members applying for the HERR. This includes SNAP recipients, even if the household is categorically income eligible.

Homeowner applicants in receipt of active TA or Code A SSI do not need to be resource tested.

However, all other household members and all co-owners must be resource tested, regardless of the applicant's receipt of TA or Code A SSI.

Liquid resource availability is based on the applicant's ability to access funds in a timely manner in order to make arrangements with the vendor for payment.

**Resource
Checklist on
LDSS-4867**

Workers making an eligibility determination for HERR must complete the resources checklist section on page 2 of the HERR Worksheet (LDSS-4867) to determine the source and amount of liquid resources and the amount available to the household.

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HERR Income and Resource Tests, Continued

Liquid Resource Limit for HERR

The following guidelines are used to determine the amount of liquid resources available for repair or replacement of the household's primary heating equipment:

- Liquid resources, as defined by HEAP, are counted for all household members, including minor children, with the exception of applicant homeowners in receipt of active TA or Code A SSI.
- All applicant households for the HERR component receive a standard resource exclusion of \$10,000 per household in addition to all essential monthly expenses and allowable exemptions as listed in the HEAP Manual.
- If the remaining available resources **are less than the cost of the repair or replacement**, applicants are required to apply any available liquid resources after exemptions to the cost of the repair or replacement in order to be eligible for HERR benefits.

Households applying for the HERR component that have available liquid resources, after exemptions are applied, that **are equal to or greater than the cost of the repair or replacement** are ineligible for HERR benefits.

Co-Owner Resource Determination

Co-Owner Resource Determination

If the dwelling is co-owned and the co-owner(s) does not reside in the dwelling, the district must explore the availability of resources and contributions from the co-owner(s).

If the dwelling is co-owned, and the co-owner(s) does reside in the dwelling, then that individual must be considered a household member and meet the same eligibility requirements.

Resources must be documented, and the availability determined in the same manner as are the applicant's resources. Co-owners are allowed the same resource exemptions as the applicant.

Each co-owner who does not reside in the dwelling is allowed the standard resource exclusion of \$10,000 per household in addition to all essential monthly expenses and allowable exemptions as listed in the HEAP Manual.

Co-Owner's Resources Below Limit

If both the applicant's and co-owner's documented resources are at or below the resource limit, the complete cost of the heating equipment repair or replacement up to the established maximum benefit amount is paid by HEAP.

Co-Owner's Resources Exceed Limit

If the resources of the non-resident co-owner exceed the established resource limits, the co-owner must cover their share of the repair or replacement. If the co-owner does not provide documentation of resources, only the applicant's share of the repair or replacement will be paid for with HEAP funds.

Prior to guaranteeing and authorizing payment for a HEAP prorated benefit, it must be documented and verified that the client and/or co-owner(s) share of the cost has been guaranteed or paid, or the client has made satisfactory payment arrangements before the HEAP payment is guaranteed or paid.

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Co-Owner Resource Determination, Continued

Domestic Violence

Applicants who are victims of documented domestic violence (DV) situations may be exempt from documenting a co-owner's resources if producing the documentation could exacerbate the DV situation and place the applicant at risk.

Notification of Required Applicant or Co-owner Contribution

The following procedures apply to those applications that require a contribution toward the cost of either a repair or replacement from either an applicant or co-owner(s):

- The district must provide the applicant with a Documentation Requirements (LDSS-2642) form, notifying them of the need for their contribution and the amount.
 - The applicant is permitted 10 business days to provide documentation of payment or satisfactory arrangements with the vendor for payment.
 - The district should assist the applicant in obtaining funding and leveraging funds when possible from partner agencies, such as NYSERDA and Weatherization, and/or community resources.
 - Collateral contact with the vendor to verify satisfactory payment or payment arrangement must be completed prior to guaranteeing the HERR benefit. The information should be clearly notated in the case record.
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HERR Scope of Work

Introduction The scope of work that can be paid using the HERR component benefits is limited by several factors related to safety, cost, and appropriateness of work.

The scope of the work must be described in detail and approved and authorized by the district prior to the commencement of any repair or replacement work.

The total equipment and installation costs for work that is eligible for HERR benefits must not exceed the repair or replacement benefit limits.

Primary Heat Source Defined Work is limited to the primary heat source, which is defined as the equipment used within the 12 month period prior to the month of application to heat the majority of the dwelling and is located inside the dwelling, with the exception of outdoor wood boilers and exterior units that are encapsulated (e.g., furnace and boilers, including exterior fuel tanks).

Repair and/or replacement of a heat pump system is an allowable expense under the Home Energy Assistance Program (HEAP) Heating Equipment Repair and Replacement (HERR) component.

Please refer to GIS 20 TA/DC002 HEAP HERR Benefits and Heat Pumps dated January 14, 2020 in the Appendix for this section for detailed information on heat pumps.

Note: Portable space heaters are not considered a primary heat source and are not eligible for repair and/or replacement under the HERR component.

Essential Components Work is limited to essential components of the primary heating equipment necessary to ensure that the heating system will operate safely and within all applicable state and local building codes. Essential primary heating equipment components include furnaces, boilers, and other direct heating components necessary to keep the dwelling's primary heating system functional, such as chimneys, chimney liners, venting systems, and oil tanks.

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HERR Scope of Work, Continued

**State and
Local
Building
Codes**

Work is limited to those measures that ensure all repairs or replacements on either state or sovereign lands are completed to the satisfaction of all applicable state and local codes, in addition to individual sovereign nations' protocols and rules.

**Energy
Star/High
Efficiency
Heating
Equipment**

Whenever possible, all replacement furnaces and boilers to be installed must be Energy Star rated or high-efficiency rated at a minimum of 92% efficiency or higher.

Installation of non-Energy Star rated or non-high-efficiency equipment may only be considered when Energy Star rated or 92% or greater high-efficiency heating equipment cannot be obtained within a reasonable timeframe or when the cost of the Energy Star or high-efficiency heating equipment exceeds the HERR benefit limit of \$8,000.

Note: A rating of 83% or above is considered high efficiency for oil and hydronic (boiler) systems.

**Alternative
Heating
System**

At the household's request, inoperable or unsafe primary heating equipment may be replaced with a different type of system if the cost of the alternative system is comparable to the cost of replacement with the same system (defined as within \$500).

The final approval for replacement with a different system type must be made by the district.

Note: The cost of removal or proper abandonment of replaced equipment in accordance with all state and local codes and regulations must be included in the job proposal.

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HERR Scope of Work, Continued

Additional Items

The following additional items may be included in the scope of work, provided the work meets the conditions specified.

Carbon monoxide (CO) detector – an installation of at least one operable carbon monoxide (CO) detector is **REQUIRED for all repairs and replacements** and is included in the HERR benefit, unless the dwelling already has a working detector that is less than 5 years old.

Thermostat – all repairs and replacements should, with client consent, include installation of a programmable thermostat if one does not exist or if the existing one is not operable. The cost of a new programmable thermostat is included in the HERR benefit.

Fuel tank gauges – installation or repair of fuel tank gauges for essential equipment may be included in the HERR benefit if original gauges are faulty or non-existent.

Frozen pipes – in the case of a boiler with frozen pipes, HERR benefits may assist with repairing the sections of piping absolutely necessary for the safe and proper installation and operation of the boiler.

Repair Versus Replacement

Introduction Any determination of whether to replace equipment instead of repair it must be made on a case-by-case basis and will be based on factors such as cost difference between the two options and the likelihood of need for continued or ongoing repairs.

Repair of the existing inoperable heating equipment must be considered prior to replacement.

Repair Defined Repair of essential primary heating equipment is defined as the labor and materials necessary to restore or fix an eligible household's essential primary heating equipment to a safe and useable condition without replacing the actual heating unit (i.e., furnace or boiler). This includes repair and/or replacement of chimneys, chimney liners, or other direct venting systems, and oil tanks.

Repair Benefit Limits The essential heating equipment repair total benefit is limited to \$4,000 per household per HEAP program year.
Eligible households may access the repair benefit more than once during a program year as long as the total benefit amount does not exceed \$4,000 in any HEAP program year.

Continued on next page

Repair Versus Replacement, Continued

Choosing to Replace Equipment

In some cases, the cost of repair may exceed or be comparable to the cost of replacement. In these cases, the district should explore replacement.

A heating system that requires multiple repairs in a program year, or in the prior program year, may warrant the exploration of replacement instead of continued repair.

Statement Required for Replacement

Replacement of essential primary heating equipment may be explored in situations when a licensed qualified participating vendor provides a written statement on the HERR Job Proposal (LDSS-4867A) documenting that the existing primary heating equipment:

- Is inoperable and/or unsafe, including the reason why, and
 - Cannot be repaired.
-

Special Medical Consideration

Heating equipment replacement is also available, under limited circumstances and with medical documentation, to replace a system that is directly detrimental to a household member's health.

Written documentation must be acquired from a physician, physician's assistant, or nurse practitioner and must specify the reason(s) why the current system is directly detrimental to the household member's health and/or safety.

Continued on next page

Repair Versus Replacement, Continued

**Essential
Primary
Heating
Equipment
Replacement
Defined**

Replacement of essential primary heating equipment is defined for HEAP purposes as the labor and materials necessary to restore or fix an eligible household's essential primary heating equipment to a safe and useable condition by removal of an existing heating unit and replacement with a new one.

Replacement may also include the repair and/or replacement of essential heating equipment components (e.g., chimneys, chimney liners or other direct venting systems, and oil tanks) necessary for the system's safe and proper operation.

Repair or replacement of a heat pump is an allowable expense under HERR.

**Replacement
Benefit
Limits**

The essential primary heating equipment replacement benefit is limited to \$8,000.

Eligible applicant homeowners may receive one heating equipment replacement benefit within a 10-year period.

HERR Job Proposal Process

Introduction For all HERR benefits, documentation is required verifying that the applicant-owned primary heating equipment is inoperable or unsafe, and is in need of repair or replacement. Such documentation must include complete and comprehensive information pertaining to the proposed scope of work and the associated costs.

Approved HERR Vendors Only vendors with a signed HERR Vendor Agreement on file with OTDA may submit job proposals and perform work on heating equipment.

Documentation of job proposals and cost estimates must only be prepared and submitted by a licensed heating professional or by a local Weatherization Assistance Program (WAP) provider.

Continued on next page

HERR Job Proposal Process, Continued

Obtaining Bids

Districts should use local procedures for obtaining job proposals, estimates, or bids for heating equipment repair and/or replacement work. All estimates must be based on the detailed information included in the Heating Equipment Repair/Replacement Job Proposal (LDSS-4867A, Rev. 5/19). **The district must only accept estimates that are on the most recent version of the form, detailed and include the cost of the unit itself, other necessary materials, and the total cost of labor.**

All job proposal estimates must be completed by the vendor using the current version of the Heating Equipment Repair/Replacement Job Proposal (LDSS-4867A), and must be signed by the client, indicating that the evaluation of the repair or replacement work was completed onsite at the applicant's residence.

Note: OTDA requires a minimum of two job proposals for all replacement work that is equal to or exceeds \$4,000. The county specific bidding process should be followed.

If the district contracts with a single source vendor, estimates for heating equipment repair and replacements are not required.

OTDA does **not** require two job proposals for repairs that are estimated to cost a total of \$500 or less. Districts must determine eligibility and approve the vendor to perform work prior to commencement of work. Verbal approval can be provided over the telephone to the vendor while they are onsite and should be noted in the case record.

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HERR Job Proposal Process, Continued

Single Vendor Contracts

Districts may establish contracts with specific vendors and/or the local WAP sub-grantees.

If the district contracts its heating equipment replacement/repair with a single vendor, there is no need to solicit multiple proposals for individual jobs. However, it is recommended that a Request for Proposal (RFP) process be used to obtain single vendor contracts. This practice will help ensure the most cost-effective method for providing this service.

Note: Costs associated with establishing single vendor contracts must be paid utilizing local administrative funding.

Open Bid Process

Districts may use an open bid process and use local procedures for obtaining job proposals for repair and replacement work.

When using an open bid process, the district must offer applicants the opportunity to obtain their own job proposals. Vendor lists must be provided to assist applicants in contacting participating vendors.

If the applicant requests assistance with obtaining job proposals, this must be noted in the case record and the district must contact vendors on the applicant's behalf.

Continued on next page

HERR Job Proposal Process, Continued

Vendor Estimates

Vendors must follow certain guidelines that apply to job scope estimates. Estimates must:

- Be based on an **onsite assessment** of the applicant's heating system; estimates that are not based on actual onsite assessment are not valid and must not be accepted.
- Include a detailed job proposal that states the scope of work and costs for all labor, materials, and equipment.
- Be based on information included in the Heating Equipment Repair/Replacement Job Proposal (LDSS-4867A) and the HEAP Heating Equipment Repair and Replacement (HERR) Vendor Agreement.
- Be **signed by the vendor and the applicant** attesting that the proposal was prepared based on an onsite assessment.

Note: Fees associated with obtaining job proposals may only be paid to vendors that normally charge for proposals **and** are not awarded the HERR work.

Districts must not incur cost for estimates **prior to the eligibility determination**.

Eligible households must never be required to pay for estimate fees.

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HERR Job Proposal Process, Continued

Awarding the Contract

HEAP policy requires that the district contract with **the lowest qualified bidder**. However, on a case-by-case basis, a vendor other than the lowest qualified bidder may be awarded the work.

Allowable exceptions include, but are not limited to, any of the following:

- Past problems with the job proposal and/or work of the lowest bidding vendor
 - Inability of the lowest bidding vendor to complete the work within a reasonable timeframe, generally five business days
 - Inability of the lowest bidding vendor to obtain or install Energy Star or high-efficiency rated equipment when applicable
 - Longstanding and ongoing relationship or contract between the applicant household and a vendor other than the lowest bidding vendor
 - A participating HEAP vendor is in the process of completing weatherization measures in the customer's home through New York State Homes and Community Renewal (HCR) or New York State Energy and Research Development Authority (NYSERDA)
-

Social Services District Approval

Vendors must request and receive district approval prior to commencing any work. Districts may use the HEAP Guarantee of Payment Letter (LDSS-5000) to notify vendors that they are awarded a HERR job. Use of this letter is optional, but the LDSS-5000 must be sent to a participating HEAP vendor when a written guarantee is used and should be retained as part of the case record.

HERR Timeframes

In all cases, work should be completed within five business days from the date work is authorized by the district. Vendors must notify the districts if they cannot meet these timeframes and provide the reason.

Payment of HERR Benefits

Introduction Payment of HERR benefits may not occur until all procedures and required documentation are completed and reviewed. This section outlines these requirements and the process for administering payment to vendors for HERR-related work. It also describes circumstances when payment may not be authorized using HERR funds.

Payment for Estimates Reasonable costs associated with obtaining job estimates and/or documenting the condition of the heating system and/or to provide an estimate of work are an allowable expense.

The following conditions apply to payment for estimates of work:

- The cost for estimate fees may only be paid for eligible households. (districts must not incur costs, nor require applicants to incur costs for estimates charged by the vendor prior to the eligibility determination).
- For repairs that do not exceed \$500, only one estimate is required; therefore, no estimate fee may be paid in those cases.
- Districts with a single vendor HERR contract may not pay for estimate fees with HEAP program funds; these costs must be included as part of the vendor contract and must be paid from administrative funding.
- A record of payments made for estimate fees or bids should be noted in the “Agency Use” section on page 3 of the HERR Worksheet (LDSS-4867).
- Vendors can only charge estimate fees to HEAP if it is a normal business practice for all customers.

Note: Vendors awarded a HERR job are not paid an estimate fee.

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Payment of HERR Benefits, Continued

Applicant Confirmation of Job Completion

Once the district has received notification that the work has been completed, the district is required to contact the applicant directly to confirm the resolution of the heating repair or replacement and to confirm that the job was completed to satisfaction.

The date of this call and the name of the person contacted must be noted in the “Agency Use” section of the HERR Worksheet (LDSS-4867).

Itemized Vendor Bill

The vendor must submit an itemized, final bill on company letterhead. The final bill must include all of the following information:

- All materials and parts used
- Total cost of equipment, materials, parts, and building permits
- Total labor cost
- Total job cost
- Job completion date

Bills must be submitted within 15 business days after work completion or by September 30 of that program year.

Note: No New York State sales tax may be charged on the final vendor invoice, however applicable county taxes are allowed.

A copy of the final bill must be retained in the case record.

Continued on next page

Payment of HERR Benefits, Continued

Prorated Share of Bill

Only a prorated share of the repair/replacement cost may be paid with HEAP funds **when one of the following is true:**

- The co-owner(s) are not accessible.
- The co-owner(s) refuse to provide documentation of resources.
- The co-owner(s) have resources exceeding the established limits.

Prior to authorizing payment for the prorated amount, the applicant must provide documentation that satisfactory payment arrangements have been made to the vendor for the balance owed. The applicant must be provided 10 business days to supply this documentation. The documentation request must be made using the Documentation Requirements (LDSS-2642) form.

Note: Collateral contact with the vendor to verify satisfactory payment or payment arrangement must be completed prior to guaranteeing the HERR benefit.

Applicants should be referred to other programs to obtain the balance of a prorated HEAP payment (TA, Catholic Charities, WAP, etc.).

Continued on next page

Payment of HERR Benefits, Continued

Payments

Payments for approved HERR work are issued **only after all of the following conditions are met:**

- All work is completed.
- The district has received the final itemized bill on company letterhead.
- The district has confirmed with the applicant that the job was completed satisfactorily, and the equipment is operating properly.
- Applicable permits were appropriately filed and closed with issuing agency.

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Payment of HERR Benefits, Continued

Prohibited Payments

The following are situations and circumstances in which payment for heating equipment repairs or replacements **will not be authorized using HERR benefits**:

- Work that was not authorized by the district
- Work that was started and/or completed prior to the applicant's application for HERR benefits
- Work that was started and/or completed prior to the applicant's HEAP eligibility determination
- Parts and labor charged for the repair or replacement of any optional or non-essential heating system component
- Deposits or advance "pre-payment" of work prior to job completion
- Prorated payments for which the necessary contribution or supplemental funds are unavailable
- Dwellings with more than two units
- Heating equipment that is inoperable due to flood, fire, or other natural disasters
- Dwellings that are unsafe, not habitable, or out of compliance with building/safety codes
- Dwellings where a current heating system did not exist
- Dwellings that are for sale and the owner is in possession of a signed sales contract
- Dwellings where the applicant's homeowners' insurance is available to cover the repair or replacement
- Dwellings that are registered with the Department of Motor Vehicles; for example, roadworthy trailers or mobile homes
- Dwellings in which the household members are in a rent-to-own status
- Dwellings being purchased through a land contract
- Dwellings where the applicant has not owned and resided in the dwelling for the 12 months prior to the month of application
- Dwellings where the applicant has failed to document that the heating system in need of repair or replacement has been the primary heating system for the 12 months preceding the month of application
- Dwellings where the primary heating equipment was replaced using HEAP funds within ten years from the application date

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Payment of HERR Benefits, Continued

**Final
Disposition**

Once an application has been processed or denied, the worker should note the final information in the “Agency Use” section on page 3 of the HERR Worksheet (LDSS-4867). The completed HERR Worksheet is then filed and retained in the case record.

**Weatheriza-
tion Referral
Requirement**

All eligible HERR applicants **must** be referred to the DHCR WAP utilizing the DHCR WAP #37 Referral Form, operated by the HCR agency. A copy of this completed form must be retained in the case record.

Appendix

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| Answer Key: HERR Scenarios | 47 |
| GIS 20TA/DC002 HEAP HERR Benefits and Heat Pumps | |

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Answer Key: HERR Scenarios

Directions As a large group, you will review each scenario and respond to the question.

Scenario 1 The district has obtained two bids for HERR for a repair. One was in the amount of \$700 and one for \$1,000. The proposal that was selected for the repair was the \$700 proposal. While the vendor was on-site, the vendor contacted the district and indicated that the unit calls for an unexpected repair in the amount of \$400, increasing the total amount of the repair to \$1,100.

How should the district proceed?

The district should allow the needed additional repair and update case notes indicating that the additional repair was allowed. The final itemized invoice must reflect the new amount.

If the additional repair was noted on the other proposal, then the vendor with the lower bid needs to be advised that HERR proposals must include all parts and labor. If the other proposal did not include the repair, then there is no issue.

Districts should ensure that bids are being thoroughly reviewed prior to awarding the job. If the district noticed differences between the bids, those items should be questioned during the proposal review process.

Continued on next page



Answer Key: HERR Scenarios, Continued

Scenario 2 An applicant is applying for HERR for a replacement as their heating system has been red tagged and is inoperable. The homeowner on the deed is the applicant's parent, who is deceased. The applicant has been living in the residence, a trailer, for 5 years. They meet all other eligibility criteria.

If the deceased parent is listed on the deed as the homeowner, is the applicant eligible?

The district should confirm ownership of trailer and request a copy of the will or legal documents demonstrating that the deceased individual owns the property. In this case, a deed was provided.

The district should also obtain confirmation that the individual on the deed/will is deceased. This can be done by looking up the obituary or asking the applicant for proof.

If a will was not provided, the district needs to confirm whether the deceased homeowner has any other family members who may lay claim to the property (i.e., a spouse or other children). This can be an attestation from the applicant and should be noted in the case record.

If there is no one that can contest the will or deed, then the district should allow the applicant's assumed ownership. If other individuals can lay claim to the property, assess for a possible co-owner situation. These situations should be reviewed on a "case by case" basis, and the district must look at the whole picture.

Continued on next page



Answer Key: HERR Scenarios, Continued

Scenario 3 A Clean and Tune/HERR vendor visits a HEAP eligible applicant home to perform clean and tune services and they discover that the heating equipment is not operating. While onsite, the vendor completes the HERR Job Proposal (LDSS-4867A) for the replacement bid.

The vendor submits both of the following:

- A bill for a clean and tune site visit for their time spent on the clean and tune referral, and
- A bill for an estimate fee for the job proposal

If the vendor is not awarded the bid for HERR, does the district pay both fees?

If the vendor is not awarded the HERR bid, they may submit two bills; one for a clean and tune site visit fee, and one for a HERR estimate fee. These bills should only be submitted if these fees are normal business practice for all customers. The district should pay both fees.

*If a vendor is awarded a HERR bid, they may submit a Clean and Tune site bill and be paid for the fee if they normally charge for a site visit. They would then **not** be paid for the HERR job proposal estimate fee, as they were awarded the bid.*

Scenario 4 An applicant is having trouble obtaining two HERR vendors to complete the bidding process.

How should the district proceed?

The district must assist applicants with obtaining two HERR bids, when required, and the applicant is having difficulty obtaining them. The district can try to call participating vendors from surrounding counties to see if they may want to expand their service territory to serve their county. If the vendor is interested, they can become a participating HEAP vendor just for the one job if they do not want to serve the entire county.

The district must also take into account if the applicant has safe supplemental heat when assisting in this process, and this should be documented. If the district is unsuccessful in obtaining two bids, their OTDA HEAP Liaison should be notified, and it should be case noted that permission was received to go with one bid.

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Answer Key: HERR Scenarios, Continued

Scenario 5 A HERR vendor conducted an on-site assessment and indicated that the boiler is running, but is very old, not efficient, and possibly unsafe. The boiler is too old to repair and/or the parts are unavailable.

As this is not a true “no-heat” situation, is this household eligible for a replacement based on the vendor’s assessment?

The district should still obtain a second bid to confirm the information that the first vendor has provided on the job proposal. If the unit is determined unsafe to operate, or continually shutting down, the district would proceed with the replacement.

Example: A unit is still operating but has a cracked heat exchanger. Ideally, this unit is red tagged. If the unit is not red tagged, running it would be unsafe for the household and the applicant would qualify for a repair or replacement based on that assessment.

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Answer Key: HERR Scenarios, Continued

Scenario 6 The district has received multiple bids, all for replacements well over the \$8,000 maximum.

How does the district proceed?

The district should contact the vendors that submitted proposals to confirm that the amount submitted is the lowest amount for the work required. If all bids are still over \$8,000 for the replacement, the district would choose the lowest qualified bid, even if it is over the \$8,000 maximum.

The district must ensure and document that the payment for the excess portion of the proposal is paid, or a payment arrangement has been made with the vendor, prior to authorizing the vendor for HEAP.

The district should assist the applicant in exploring other sources for assistance with the excess amount allowed by HEAP. Districts should contact TA, Weatherization, and NYSERDA. Case notes should be made regarding the outcome of the inquiries. HEAP partners with weatherization and NYSERDA, so obtaining assistance from a partnering agency would leverage HEAP funds.

If the additional amount was not able to be covered by a partner agency and the applicant does not have the means or resources for the excess, the district should reach out to your OTDA HEAP liaison, prior to denying the application.

Scenario 7 A rebate is being offered by the utility company on a unit that was installed in the HEAP applicant's household.

Does the rebate go to the homeowner or the vendor?

The rebate should be provided to the homeowner if they qualify for it, along with a copy of the purchase receipt and any other information required to file the rebate with the utility company.

Note: *The homeowner should **not** be given the original receipt.*

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Answer Key: HERR Scenarios, Continued

Scenario 8 The vendor is onsite and has completed the work for installing a new boiler. The applicant is requesting that the vendor leave old parts in the residence.

Is this allowable?

Yes, if the request is from the property owner and not the vendor. The vendor agreement states that the vendor must remove and dispose of any materials considered waste, so that the customer is not left with any clean up or disposal costs.

Upon request from the homeowner, the household may be allowed to keep the old system and parts given there are not asbestos or safety concerns. It is best practice that the vendor documents the request on the job proposal. The vendor must still leave the area clean.

If the vendor indicates that leaving the system could be detrimental to the household or a safety concern, then the district should object the request.

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Answer Key: HERR Scenarios, Continued

Scenario 9 An applicant is applying for HERR for the mobile home that they are claiming to own. The applicant does not have a bill of sale or title, as they purchased the home many years ago. The mobile home park manager has provided a statement indicating that the applicant has resided in the home for a number of years.

Is this acceptable documentation for homeownership?

A statement from the mobile home park owner attesting to the best of their knowledge that the applicant is the homeowner and has resided there for a certain number of years is acceptable documentation to establish ownership for the situation.

The applicant must also provide one of the following from the acceptable documents for ownership on mobile homes older than 1995:

- *Tax bill/paid tax bill receipt*
- *Mortgage papers/payment book or loan payment receipts*
- *Mobile home lot rent receipts*
- *Loan papers*

Note: If a bill of sale or sales contract is provided, no other documentation of ownership is necessary.

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Answer Key: HERR Scenarios, Continued

Scenario 10 Multiple vendors have attempted to provide a job proposal for an applicant, but all are refusing due to a hoarding situation in the home. The vendors have stated that it is unsafe for the workers to complete the job.

How should the district proceed?

The district should speak to the applicant to explain that the hoarding has created an unsafe situation for the vendors.

The application needs to be pended for 10 business days and the applicant must be provided with a Documentation Requirements (LDSS-2642) that indicates the following:

- *The hoarding situation must be remedied within 10 business days, and*
- *The district must be notified to proceed with the repair/replacement assessments.*

If not completed in 10 business days, then the application must be denied using the HEAP HERR Denial Code – M09.

The applicant should be referred to any necessary resources for assistance (i.e., Adult Protective Services, Office for the Aging, or another community resource) that may be able to assist the applicant with the situation so they can reapply for the repair/replacement in the future.
