



October 15, 2025

[REDACTED]

RE: [REDACTED] v. WVDohS/BFA
ACTION NO.: 25-BOR-2862

Dear [REDACTED]:

Enclosed is a copy of the decision resulting from the hearing held in the above-referenced matter.

In arriving at a decision, the State Hearing Officer is governed by the Public Welfare Laws of West Virginia and the rules and regulations established by the Department of Human Services. These same laws and regulations are used in all cases to ensure that all persons are treated alike.

You will find attached an explanation of possible actions you may take if you disagree with the decision reached in this matter.

Sincerely,

Todd Thornton
State Hearing Officer
Member, State Board of Review

Encl: Recourse to Hearing Decision
Form IG-BR-29

cc: Keenan Rhodes, Department Representative

**WEST VIRGINIA OFFICE OF INSPECTOR GENERAL
BOARD OF REVIEW**

██████████,

Appellant,

v.

Action Number: 25-BOR-2862

**WEST VIRGINIA DEPARTMENT OF
HUMAN SERVICES
BUREAU FOR FAMILY ASSISTANCE,**

Respondent.

DECISION OF STATE HEARING OFFICER

INTRODUCTION

This is the decision of the State Hearing Officer resulting from a fair hearing for ██████████. This hearing was held in accordance with the provisions found in Chapter 700 of the Office of Inspector General Common Chapters Manual. This fair hearing was convened on September 30, 2025, upon a timely appeal filed on September 5, 2025.

The matter before the Hearing Officer arises from the July 14, 2025 decision by the Respondent to deny the Appellant's Supplemental Nutrition Assistance Program (SNAP) application for failure to provide necessary information.

At the hearing, the Respondent appeared by Keenan Rhodes. The Appellant was self-represented. All witnesses were placed under oath, and the following documents were admitted into evidence.

EXHIBITS

Department's Exhibits:

- | | |
|-----|---|
| D-1 | Case summary |
| D-2 | SNAP application, dated June 23, 2025 |
| D-3 | Verification checklist, dated June 30, 2025 (excerpt) |
| D-4 | Rent receipt |

D-5 Notice of decision, dated July 14, 2025

D-6 West Virginia Income Maintenance Manual excerpts

Appellant's Exhibits:

None

After a review of the record, including testimony, exhibits, and stipulations admitted into evidence at the hearing, and after assessing the credibility of all witnesses and weighing the evidence in consideration of the same, the Hearing Officer sets forth the following Findings of Fact.

FINDINGS OF FACT

- 1) The Appellant applied for SNAP benefits for her household on June 23, 2025. (Exhibit D-2)
- 2) The Respondent issued a verification checklist, dated June 30, 2025, to the Appellant. (Exhibit D-3)
- 3) This letter (Exhibit D-3) read, in part, "I need all paystubs received from 05/30/2025 thru 06/20/2025."
- 4) The letter (Exhibit D-3) additionally stated, "I need verification of your rent."
- 5) The letter (Exhibit D-3) set a deadline of July 10, 2025, for the Appellant to provide the requested verifications.
- 6) The letter noted that failure to return the requested information could result in the denial of the Appellant's application. (Exhibit D-3)
- 7) The Appellant provided rent verification. (Exhibit D-4)
- 8) The Appellant did not provide income verification.
- 9) The Respondent mailed the Appellant a notice, dated July 14, 2025, advising the Appellant's SNAP application was denied because "You did not turn in all requested information." (Exhibit D-5)

APPLICABLE POLICY

Code of Federal Regulations 7 CFR § 273.2(d)(1) explains household cooperation in the SNAP application process, and provides, in part:

(d) ***Household cooperation.***

(1) To determine eligibility, the application form must be completed and signed, the household or its authorized representative must be interviewed, and certain information on the application must be verified. If the household refuses to cooperate with the State agency in completing this process, the application shall be denied at the time of refusal. For a determination of refusal to be made, the household must be able to cooperate, but clearly demonstrate that it will not take actions that it can take and that are required to complete the application process. For example, to be denied for refusal to cooperate, a household must refuse to be interviewed not merely failing to appear for the interview...

Code of Federal Regulations 7 CFR § 273.2(f)(5)(i) provides, in part:

(5) ***Responsibility of obtaining verification.***

(i) The household has primary responsibility for providing documentary evidence to support statements on the application and to resolve any questionable information. The State agency must assist the household in obtaining this verification provided the household is cooperating with the State agency as specified under paragraph (d)(1) of this section. Households may supply documentary evidence in person, through the mail, by facsimile or other electronic device, or through an authorized representative. The State agency must not require the household to present verification in person at the SNAP office. The State agency must accept any reasonable documentary evidence provided by the household and must be primarily concerned with how adequately the verification proves the statements on the application...

West Virginia Income Maintenance Manual (WVIMM) § 14.3.1.A states that “Verification of a client’s statement is required when...policy requires routine verification of specific information...”

WVIMM § 7.3 provides a table identifying verification requirements for various programs including SNAP. At § 7.3.41, this table indicates that for all programs with an income test, the source and amount of earned income must be verified prior to initial approval, at application, and at redetermination.

WVIMM § 7.2.3 outlines client responsibilities in the verification process for SNAP applications, and provides, in part:

The primary responsibility for providing verification rests with the client.

It is an eligibility requirement that the client cooperate in obtaining necessary verifications, with an exception being that a client must never be asked to provide verification that he is or is not either a fleeing felon or a probation/parole violator. The client is expected to provide information to which he has access and to sign authorizations needed to obtain other information.

Failure of the client to provide necessary information or to sign authorizations for release of information results in denial of the application or closure of the active case, provided the client has access to such information and is physically and mentally able to provide it...

Refusal to cooperate, failure to provide necessary information, or failure to sign authorizations for release of information, provided the client has access to such information and is physically and mentally able to provide it, may result in one of the following:

- Denial of the application
- Closure of the assistance group (AG)
- Determination of ineligibility
- Disallowance of an income deduction or an incentive payment

...

WVIMM § 7.2.4 outlines worker responsibilities in the verification process for SNAP applications, and provides:

The Worker has the following responsibilities in the verification process:

- At application, redetermination, and anytime a DFA-6 is used, the Worker must list all required verification known at the time. The Worker should only request additional verification if information provided is incomplete or additional information is necessary to determine eligibility.
- If the client is unsuccessful in obtaining information, or if physical or mental limitations prevent his compliance, and there is no one to assist him, the Worker must document attempts to obtain the verification.
- The Worker must accept any reasonable documentary evidence as verification and must not require a specific kind or source of verification. Verification may be submitted in person, by mail, by fax, or electronically.
- The Worker must not request verification if the case record or other documentation shows that verification has previously been supplied. It may, however, be requested if the verification provided or shown in the Department's records is incomplete, inaccurate, outdated, or inconsistent with recently reported information.
- If the client requests a receipt for verification, one must be provided.

- When the client alleges sexual harassment and domestic violence, sexual assault, and stalking, the Worker, in order to ensure the safety of the individual, must never contact the abuser, his relatives, or friends. See Section 7.3.16 for acceptable method of verification in sexual harassment and domestic violence, sexual assault, and stalking situations.
- When the Worker must make collateral contact, such as but not limited to, a client's employer, the Worker must not disclose the client's status as an applicant/client of a DOHS program.
- When the Worker receives information about the SNAP AG during the certification period that requires additional clarification or verification, the Worker may send a DFA-6 or may request, but not require, the client report to the office for an interview.

DISCUSSION

The Appellant has appealed the decision of the Respondent to deny the Appellant's SNAP application for failure to provide necessary information. The Respondent must show, by a preponderance of the evidence, that it correctly denied the Appellant's SNAP application on this basis.

The Appellant applied for SNAP for her household. The Respondent worker issued a verification checklist to the Appellant listing the information that was needed to process the SNAP application. The Appellant was allowed until July 10, 2025, to provide income and rent verification. The Respondent's verification checklist noted possible outcomes for failure to provide the information by the deadline, including application denial and disallowance of a proposed income deduction. Policy requires income verification, and failure to provide this information results in an application denial. If the Appellant had verified income but not her rent, her application could have possibly been processed without allowing the rent deduction in her SNAP budget calculation. However, the Appellant provided her rent receipt and the Respondent contended that she did not provide the requested income verification.

The Appellant testified she emailed a screen shot of her paystubs to Mr. Rhodes, the Respondent worker. Mr. Rhodes testified that he never received such an email from the Appellant. He explained that such emails go to the "central office" email, and he receives an alert when the email is received. He did not receive an email or an alert. The Appellant testified she never received an email about her verifications being insufficient, but policy does not require this aside from the denial notice itself. The Appellant claimed to have sent an email verifying her income but did not provide this email or the attachment accompanying this email as evidence for the hearing. The Appellant could have forwarded the email as evidence for the hearing to refute the Respondent worker's contention that there was no email with the requested income verification. Based on these facts it is more convincing than not that the Respondent did not receive the requested income verification required to process the Appellant's SNAP application. The Respondent's decision to deny the Appellant's SNAP application on this basis is affirmed.

CONCLUSIONS OF LAW

- 1) Because policy requires earned income verification prior to initial approval for SNAP, the Respondent must deny SNAP applications if the verification is not provided.
- 2) The primary responsibility for providing this information was with the Appellant.
- 3) Because the Appellant did not meet her verification requirement by the deadline set on the Respondent's verification checklist, the Respondent must deny her SNAP application.

DECISION

It is the decision of the State Hearing Officer to **UPHOLD** the Respondent's denial of the Appellant's SNAP application for failure to provide necessary information.

ENTERED this _____ day of October 2025.

Todd Thornton
State Hearing Officer