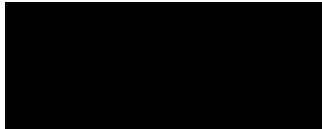




March 25, 2026



RE: [REDACTED] v. DoHS/BFA
ACTION NO.: 26-BOR-1501

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,

Kristi Logan
Certified State Hearing Officer
Member, State Board of Review

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

cc: Leslie Gilbert, [REDACTED] County DoHS

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

████████████████████

Appellant,

v.

Action Number: 26-BOR-1501

**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 March 24, 2026.

The matter before the Hearing Officer arises from the February 27, 2026, decision by the Respondent to deny the Appellant's application for Low Income Energy Assistance Program (LIEAP) benefits.

At the hearing, the Respondent appeared by Marsha Jones, ██████████ County DoHS. The Appellant was self-represented. The witnesses were placed under oath, and the following documents were admitted into evidence.

Department's Exhibits:

- D-1 Hearing Summary
- D-2 Department of Human Services Facebook Post dated February 6, 2026
- D-3 LIEAP Application received February 20, 2026
- D-4 Envelope with February 18, 2026, Postmark
- D-5 Notice of Denial dated February 27, 2026

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 open intake application period for LIEAP started February 2, 2026, and closed on February 9, 2026.
- 2) The Appellant submitted a LIEAP application on February 20, 2026 (Exhibit D-3).
- 3) The LIEAP application was mailed on February 18, 2026 (Exhibit D-4).
- 4) The Respondent sent a notice to the Appellant on February 27, 2026, advising that the application had been denied as the LIEAP season had ended (Exhibit D-5).

APPLICABLE POLICY

West Virginia Income Maintenance Manual Chapter 21 explains LIEAP eligibility:

21.1 Introduction

LIEAP is a time-limited program and dependent on the availability of federal funds. It is subject to closure without prior notice when funds are deemed to have been exhausted. Funds are normally disbursed on a first-come, first-served basis, but may also be subject to disbursement based on need.

24.4.3 Open Application Intake Period

During the annual open application intake period, clients who did not receive a LIEAP mail-out application may apply for LIEAP at their local DOHS office or at any of the outreach locations listed above. The application is also available and may be completed through WV PATH.

21.4.6 Applying for Benefits

Although it is not mandatory, the head of household should be encouraged to apply for benefits. Regular LIEAP applications may be mailed or delivered to the local DOHS office. Applications may also be submitted by use of WV PATH on the DOHS website. The Worker may request additional information if needed for eligibility determination, but incomplete applications must be denied.

DISCUSSION

LIEAP is a time-limited program that is dependent on the availability of federal funds and is subject to closure without prior notice when funds are deemed to have been exhausted. The 2026

LIEAP season started on February 2, 2026, and closed on February 9, 2026, when available funding had been depleted.

The Appellant mailed a LIEAP application to the Respondent on February 18, 2026, which was received by the Mercer County office on February 20, 2026. The Respondent denied the Appellant's application on February 26, 2026, as the LIEAP season had already closed.

The Appellant testified that she does not have transportation and relied on her landlady to obtain an application for her. The Appellant stated she did not receive an application in the mail and by the time she received an application and mailed it to the Respondent, the application was late.

The LIEAP open intake application period for the 2026 season started on February 2, 2026, and closed on February 9, 2026, when available funding had been exhausted. The Appellant failed to submit an application during the open intake period, therefore the Respondent's decision to deny the Appellant's application for LIEAP is affirmed.

CONCLUSIONS OF LAW

- 1) LIEAP is a time-limited program that is dependent on the availability of federal funds and is subject to closure without prior notice when funds are deemed to have been exhausted.
- 2) The LIEAP season closed on February 9, 2026.
- 3) The Appellant applied for LIEAP on February 20, 2026, after the season had closed.
- 4) The Appellant is not eligible for LIEAP as she did not apply prior to the closure of the program.

DECISION

It is the decision of the State Hearing Officer to **uphold** the decision of the Respondent to deny the Appellant's application for Low Income Energy Assistance Program benefits.

ENTERED this 25th day of March 2026.

Kristi Logan
Certified State Hearing Officer