



Ann Urling
Inspector General

June 23, 2026

[REDACTED]

RE: [REDACTED] v. WV DoHS/ BFA
ACTION NO.: 26-BOR-2057

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 (DoHS). 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,

Tara Thompson, MLS
Certified State Hearing Officer
Member, State Board of Review

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

cc: Karen Bucklew, DoHS

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

██████████,

Appellant,

v.

Action Number: 26-BOR-2057

**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 June 17, 2026.

The matter before the Hearing Officer arises from the Respondent's decision on May 27, 2026, regarding the Appellant's Supplemental Nutrition Assistance Program (SNAP) benefit allotment amount.

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

Department's Exhibits:

D-1 DoHS Verification Checklist, dated May 14, 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 Appellant receives SNAP benefits for a one-person Assistance Group (AG).
- 2) On May 27, 2026, the Respondent issued a notice advising the Appellant he was approved for a monthly SNAP allotment of \$100, beginning on June 1, 2026. The Respondent applied \$125.50 shelter/utility deduction when determining the SNAP allotment amount.
- 3) On May 14, 2026, the Respondent issued a *verification checklist* (DFA-6 form) advising the Appellant to submit, “Rent/Lot-Rent/Lease/ Proof of your obligation for this expense” by May 23, 2026.
- 4) On May 18, 2026, the Appellant submitted verification of his rent costs, effective June 1, 2024.
- 5) The Respondent did not consider the rent costs reflected on the submitted verification when determining his SNAP allotment.
- 6) On May 19, 2026, the Respondent issued a notice advising the Appellant that his SNAP benefits would end after May 2026, because he did not complete his eligibility review.
- 7) After the May 19, 2026 notice was issued, the Appellant completed his review.

APPLICABLE POLICY

Code of Federal Regulations 7 CFR § 273.2(c)(5) *Notification of Required Verification* provides that the State agency shall provide each household at the time of application for certification with a notice that informs the household of the verification requirements the household must meet as part of the application process. The Notice shall also inform the household of the State agency’s responsibility to assist the household in obtaining required verification provided the household is cooperating with the State agency as specified in (d)(1) of this section. The notice shall be written in clear and simple language At a minimum, the notice shall contain examples of the types of documents the household should provide and explain the period of time the documents should cover [emphasis added].

Code of Federal Regulations 7 CFR § 273.2(f) *Verification* provides that verification is the use of documentation or a contact with a third party to confirm the accuracy of statements or information. The State agency must give households at least 10 days to provide required verification. Paragraph (i)(4) of this section contains verification procedures for expedited service cases.

Code of Federal Regulations 7 CFR § 273.2(f)(5) *Verification* provides:

- (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

(ii) Whenever documentary evidence is insufficient to make a firm determination of eligibility or benefit level, or cannot be obtained, the State agency may require a collateral contact or a home visit in accordance with [paragraph \(f\)\(4\)](#) of this section. The State agency, generally, shall rely on the household to provide the name of any collateral contact The State agency is responsible for obtaining verification from acceptable collateral contacts.

WVIMM § 7.2.3 Client Responsibilities provides that the primary responsibility for providing verification rests with the client. It is an eligibility requirement that the client cooperate in obtaining necessary verification ... 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

No case may be determined ineligible when a person outside the AG or income group (IG) fails to cooperate with verification.

WVIMM § 7.2.4 Worker Responsibilities provides that the Worker has the following responsibilities in the verification process:

- At application ... and anytime a DFA-6 is used, the Worker must list all required verification known at that time ...
- If the client is unsuccessful in obtaining information, or if physical or mental limitations prevent 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 ...

WVIMM § 9.2.1 DFA-6, Notice of Information Needed provides that the DFA-6 may be used during any phase of the eligibility determination process. At the time of application, it is given or mailed to the applicant to notify her of information or verification she must supply to establish eligibility. When the DFA_6 is mailed at the time of application, the client must receive the DFA_6 within five working days of the date of application.

If the client fails to adhere to the requirements detailed on the DFA-6, the application is denied or the deduction disallowed, as appropriate. The client must be notified of the subsequent denial by form DFA-NL-A.

WVIMM § 9.2.1.A SNAP provides that the date entered on the DFA-6 must be 10 days from the date of issuance. If information involving an eligibility factor is not provided by the date indicated, and the client has not contacted the Worker to explain the delay, the application is denied using DFA-NL-A. If eligibility is established, but the client does not provide proof of entitlement to a deduction, the deduction is not allowed, but the assistance group (AG) is approved. The DFA-NL-A is used for notification of approval.

Federal regulations require that the DFA-6 be given to the client no later than 30 days after the date of application. He must be allowed 10 days to respond to the DFA-6. The Worker must issue benefits retroactive to the date of application if the client supplies the needed information within the 30-day time limit.

WVIMM § 7.3 Verification Requirements provides:

25. *Shelter Expenses*, for SNAP verification must be obtained at each application and redetermination, or when an individual reports a change of shelter expense. Acceptable verification must include the name and phone number of the landlord, the obligation amount, and the actual paid amount. Shelter expense verifications do not require a landlord's signature. Acceptable verification is not limited to any single type of document and is obtained from the household or other source. When the customer cannot obtain information from a primary source of verification, the worker can then accept a secondary source. When a customer cannot obtain any verification of shelter expense, it is necessary for the worker to obtain a shelter attestation form from the customer. If a lease or rental agreement provided by the customer is older than 1 year, the customer must also complete a shelter attestation form. The Worker must provide or mail the shelter attestation form to the customer to complete and must record why the shelter attestation form was used.

DISCUSSION

On May 27, 2026, the Respondent approved the Appellant for \$100 in monthly SNAP benefit allotment. The Appellant argued that the amount was a reduction and that his shelter expenses should have been applied. During the hearing, the Respondent's representative testified that the Appellant's attested shelter costs were not verified or considered when determining the Appellant's monthly SNAP benefit allotment amount.

To determine eligibility, certain information must be verified, including shelter expenses. A *Notice of Information Needed* is provided to notify the household of the verification the client must supply to establish eligibility. If eligibility is established, but the client does not provide proof of entitlement to a deduction, the deduction is not allowed, but the assistance group (AG) is approved. The Respondent bears the burden of proof. To prove that the Respondent applied shelter deduction policy correctly, the evidence had to demonstrate by a preponderance of evidence that sufficient

Notice of Information Needed was provided to the Appellant and that the Appellant did not provide proof of his shelter costs.

Notice of Verification Requirements

The Respondent was required to provide the Appellant with a notice that informed him of the verifications he must submit as part of the eligibility determination process. Pursuant to the regulations, the notice must be written in clear and simple language. At minimum, the notice must contain examples of the types of documents the household should provide and explain the period of time the documents should cover. Pursuant to the verification checklist, the Respondent requested proof of Rent/Lot-Rent/Lease/ Proof of your obligation for this expense,” and did not provide language to explain the period of time the documents should cover.

During the hearing, the Respondent testified that the Appellant’s submitted rental verification was not considered when determining his SNAP allotment because the effective date reflected on the verification was not recent. The Respondent’s witness testified that the Respondent’s worker took no additional steps to seek clarification after the submitted verification failed to verify the Appellant’s current housing costs. During the hearing, the Hearing Officer reviewed information indicated on the *verification checklist* and the Respondent testified that no other information had been supplied to the Appellant to indicate the period of time the requested verification should cover.

The preponderance of evidence demonstrated that the Appellant attempted to comply with the Respondent’s request by submitting information that the Respondent found insufficient. So long as the Appellant is cooperating with the verification process by providing records which he has access to, the regulations stipulate that the Respondent must assist the Appellant with obtaining information. Even if the Respondent’s notice had provided the minimum required information, when the Appellant supplied information that the Respondent deemed to be insufficient, the Respondent had the authority to request a shelter attestation to be completed, or to initiate collateral contact.

The federal regulations indicate that the Respondent must accept any reasonable documentary evidence provided by the household. Whenever documentary evidence is insufficient to make a firm determination of eligibility or benefit level, the Respondent is responsible for obtaining verification from acceptable collateral contacts. According to the evidence, the Respondent failed to stipulate the period the requested verification should cover; therefore, the Respondent failed to issue sufficient *notice of information needed*. When the Respondent determined that the Appellant’s submitted verification was insufficient, the Respondent should have acted to seek clarification of the Appellant’s shelter costs by issuing sufficient *notice of information needed* or by making collateral contacts.

Because the evidence demonstrated that the Respondent failed to supply the Appellant with sufficient notice informing him of the verification requirements to be submitted, the Respondent’s decision regarding his SNAP allotment based on the Appellant’s failure to submit requested shelter verification cannot be affirmed. The matter must be remanded for issuance of a new verification

request that at a minimum, contains examples of the types of documents the household should provide and explains the period of time the documents should cover.

CONCLUSIONS OF LAW

- 1) Failure to provide necessary verification of shelter costs may result in the disallowance of an income deduction.
- 2) The preponderance of evidence demonstrated that the Respondent's verification checklist did not explain in clear language the types of documents the Appellant should provide to verify income and shelter expenses or explain the period of time the documents should cover.
- 3) Because the evidence demonstrated that the Respondent failed to supply the Appellant with sufficient notice informing him of the verification requirements to be submitted, the Respondent's decision regarding his SNAP allotment amount cannot be affirmed.

DECISION

It is the decision of the State Hearing Officer to **REVERSE** the Respondent's decision regarding the Appellant's monthly SNAP allotment, effective June 1, 2026. The matter is **REMANDED** for issuance of a new verification checklist in compliance with the policy, and a new determination of monthly SNAP allotment based on the verification obtained. It is hereby **ORDERED** that any lost SNAP benefits be retroactively restored.

ENTERED this 23rd day of June 2026.

Tara Thompson, MLS
Certified State Hearing Officer