WEST VIRGINIA OFFICE OF INSPECTOR GENERAL
BOARD OF REVIEW

[redacted]

Appellant,

v. **Action Number: 26-BOR-2603**

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 [redacted] 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 22, 2026, on an appeal filed with the Board of Review on August 26, 2026.

The matter before the Hearing Officer arises from the August 10, 2026, decision by the Respondent to deny the Appellant's application for School Clothing Allowance benefits.

At the hearing, the Respondent appeared by Samantha Conley, [redacted] 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 School Clothing Application dated July 20, 2026
D-3 Verification Checklist dated July 30, 2026
D-4 Email from Constituent Services to [redacted] County DoHS dated August 10, 2026
D-5 Notice of Denial dated August 7, 2026
D-6 Notice of Denial dated August 10, 2026
D-7 West Virginia Income Maintenance Manual §§19.2 and 19.3

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 School Clothing Allowance (SCA) benefits on July 20, 2026 (Exhibit D-2).

2) The Respondent sent a verification checklist to the Appellant on July 30, 2026, requesting that proof of earned income be submitted by August 8, 2026 (Exhibit D-3).

3) On August 7, 2026, the Appellant's application was denied in error (Exhibit D-5).

4) The Appellant emailed the requested pay stubs to the Respondent on August 9, 2026.

5) On August 10, 2026, the Appellant contacted the Respondent's Constituent Services regarding the August 7, 2026, denial (Exhibit D-4).

6) The Respondent processed the Appellant's SCA application again on August 10, 2026.

7) The Respondent sent a notice of denial to the Appellant on August 10, 2026, advising that her application for SCA had been denied as "we did not receive verifications by the due date of 8/08/2026. Your application was reran (*sic*), however, verifications were received too late. Income verification was emailed 8/09 at 12:11 a.m. (Exhibit D-6).

APPLICABLE POLICY

West Virginia Income Maintenance Manual Chapter 19 explains SCA eligibility:

> **19.2.1.I Due Date of Additional Information**
> The client and the Worker agree on the date by which additional verification must be obtained. ***The client must be given at least 10 days to return requested additional information.***

DISCUSSION

The verification checklist, form 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 him or her of information or verification needed to establish eligibility. When the verification checklist is mailed at the time of application, the client must receive the verification checklist within five working days of the date of application. If the client fails to adhere to the requirements detailed on the verification checklist, the application is denied.

The Appellant applied for SCA on July 20, 2026. The Respondent mailed a verification checklist to the Appellant on July 30, 2026, requesting that verification of earned income be provided by August 8, 2026. The Respondent denied the Appellant's application because the requested income verification was returned on August 9, 2026.

The Appellant contended that she did not receive the verification checklist until August 7, 2026. The Appellant stated she emailed pay stubs to the Respondent the night of August 8, 2026, but surmised that her internet connection was slow and the email was not sent until after midnight on August 9, 2026.

Pursuant to policy, a client must be given at least ten (10) days to return requested information needed to determine eligibility. The verification checklist was mailed to the Appellant on July 30, 2026, and the requested information was due by August 8, 2026, which is nine (9) days from the date the verification checklist was mailed. The Appellant provided the requested verification on August 9, 2026, within the 10-day timeframe as stipulated by policy.

Whereas the Appellant provided the requested income verification within ten days of the date of the verification checklist, the Respondent's denial of the Appellant's SCA application cannot be affirmed.

CONCLUSIONS OF LAW

1) A client must be given 10 days to provide information required to determine eligibility.

2) The Respondent mailed a verification checklist to the Appellant on July 30, 2026.

3) Verification of the household's earned income was due by August 8, 2026.

4) The verification checklist listed the incorrect due date, giving the Appellant 9 days instead of 10 days to provide the information.

5) The Appellant returned the requested income verification to the Respondent on August 9, 2026.

6) The Respondent failed to follow policy in the denial of the Appellant's SCA application.

DECISION

It is the decision of the State Hearing Officer to **reverse** the action of the Respondent to deny the Appellant's application for School Clothing Allowance benefits. The matter is **remanded** to the Respondent for an eligibility determination based on the income verification provided.

ENTERED this 22nd day of September 2026.

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Kristi Logan
Certified State Hearing Officer