

## **What is local welfare?**

In New Hampshire, persons with little or no income may be entitled to financial help from their town or city. New Hampshire law (RSA 165) requires each town and city to have a local welfare program to help people who are poor and in need of assistance.

Individuals and families with low incomes may also be eligible for state assistance programs such as temporary aid to needy families (TANF), aid to the elderly, blind or disabled, food stamps, fuel assistance and/or WIC, as well as the federal Supplemental Security Income (SSI) program.

## **What help should the town give?**

Towns and cities are required to provide financial assistance for basic necessities such as food, shelter, rent, mortgage payments, heat, lights, gas, water, necessary clothing, transportation and prescriptions. Basic telephone service may be paid if necessary for health and safety reasons.

Towns must also help with "maintenance" items such as paper products, household supplies, diapers, etc. Towns should pay security deposits if necessary to obtain housing. Necessary medical costs should be paid if there is no other way to obtain essential medical services.

The town may decide that a certain expense, such as a car payment, is not necessary. This may happen when a reasonable lower cost option is available, such as public transportation.

## **What if I own a house?**

If you live in your own house and qualify for assistance, the town should help with mortgage and other payments necessary to stop a foreclosure. State law does allow the town to put a lien on your house and any land you own for the amount of assistance given. If you later repay the town, officials will remove the lien.

## **Past due bills**

Usually towns will pay back bills only if needed to maintain services. The town should pay electric, gas or other fuel bills if these utilities are being shut off for nonpayment. Towns should also pay for back rent if necessary to prevent eviction.

## **Payment "caps" or limits**

The town may have a payment limit or "cap" on some expenses. For example, the town may set a \$500 limit on rent payments.

A payment "cap" may be lawful if set at a reasonable amount and the town told you about it in advance. The town must give you a reasonable amount of time to reduce the expense or find an alternative. If you disagree with the town, you have the right to appeal. You should contact LARC for further advice.

## **Work requirement**

If you receive help from a town and are physically able to work, you may be asked to work for the town to pay off the assistance given. The town cannot require you to work before helping you the first time.

The town may also ask you to look for work each week. If you are disabled or need to stay home to care for a young child or disabled adult, you may ask to be excused from the work program. If your request is denied, you may appeal.

## **Will I have to repay the town?**

The town can ask you to repay assistance given **if** your income later increases to the point where paying back the town would not cause you financial hardship. You **can** reapply for assistance anytime you need help. The town cannot refuse to help you just because you have not repaid past assistance.

## **Where to apply**

If you need financial help, you should go to your town or city hall and ask for the welfare official. In some towns, you must apply to the selectmen for assistance. Someone should always be available during normal business hours to take your application. You should not be required to apply to any town other than the town in which you currently live.

### **What will the town ask?**

The town should give you an application to fill out which asks about your income and expenses. If you work, but your income is not enough to cover basic needs, you may still qualify for some town assistance.

When you apply, bring a list of all monthly expenses even if the town says it does not pay for certain things. The welfare official will want to see pay stubs, bills, rent slips, shut-off and eviction notices, etc., so take these papers to your interview.

The town may ask for information about some of your relatives — parents, children, stepchildren or spouse. New Hampshire law permits the town to contact or take legal action against these relatives for reimbursement of the amount of assistance provided to you, but only if the relative can afford to help provide for your support. The town or city cannot deny assistance because your relatives fail to provide information or support.

### **How and when will the town decide?**

The welfare official must use written rules in making a decision on your application. You have a right to see these rules.

To figure your eligibility for help, the welfare official should add up your family's income and necessary bills. Eligibility is based on actual need, so the town should help with necessary expenses that your income does not cover.

The town should issue a written decision on your application within 3 to 5 days of your application. If there is an emergency, the town should make a decision immediately. The decision should tell you how much and what kind of help the town will give.

### **When can the town refuse to help?**

The town should give you written reasons for refusing to help you. Reasons for denial should also be given where the town has agreed to provide only some of the assistance requested. **The town must tell you of your right to appeal.** There are four situations in which the town may refuse to help:

1. Your available income and assets are sufficient to meet your basic living needs.
2. You do not comply with written town welfare guidelines requiring you to:
  - disclose (tell) all your income and assets;
  - participate in town work programs;
  - make a reasonable search for work; or
  - apply for aid that may be available at other public agencies.

If the town says you are not following its welfare guidelines, town officials must give you a warning notice outlining exactly what you need to do to correct the problem. If you do everything on this list within 7 days, the town should continue to assist you. If you and the town cannot agree about whether you have done everything on this list, you can appeal. If you do not appeal and your aid is cut, you may have to correct the problem before you can reapply and get help again.

3. If you are on TANF and the state reduces your state benefits because you failed to do employment work requirements, the town can reduce or deny local welfare benefits by counting as available to you the income you have lost from the state. This penalty only applies while the state reduction is in effect. The town must ignore the penalty and help you to prevent an immediate threat to the health and safety of children in your household
4. Within the 60-day period before filing an application for assistance, you voluntarily quit a job without a good reason. (This disqualification applies for 90 days from the date of employment termination.)

*Even if you did quit a job within 60 days of applying for assistance, you should not be refused help if*

- there are children in your household who you are legally responsible to support; or
- you have not received assistance from the town in the last year; or
- you received assistance within the last year, but the town did not give you notice that quitting your job could result in disqualification; or
- you had a mental or physical impairment that prevented you from working; or
- the job that you quit was less than 20 hours per week; or

- you have since started another job that is at least 20 hours per week; or
- you had **good cause** for quitting. Good cause includes discrimination, unreasonable work demands or conditions, retirement, employment that became unsuitable, leaving a job because of circumstances — such as lack of transportation or a household emergency — that were beyond your control, and other good reasons.

### **You can't be denied just because:**

1. You have lived in town only a short time.
2. You have received help in the past, or have not repaid help you received in the past.
3. The town says they don't have enough money in the budget.
4. You receive other state or federal financial assistance. (However, if you receive APTD or OAA, call LARC for further information.)

This list does not include all of the reasons why a town should not turn down your request for help. **If you think your request for aid has been wrongly denied, call LARC for assistance.**

### **What if the town refuses to help?**

If your application is denied or you are notified your assistance is being cut off or reduced, you have a right to appeal. If you disagree with any action of the town welfare official in your case, you may request a hearing.

You should ask for a hearing within the time set by the town — usually 5 days from the town's notice or action, or lack of action. If you are currently receiving aid, you have a right to have your assistance continued until a decision has been made on your appeal. You must state on your appeal that you want your assistance to continue.

The town must schedule a hearing promptly with a hearing officer who has no prior knowledge of your case. You have a right to review the town welfare guidelines and your welfare file before the hearing, and to have a representative with you at the hearing. A written decision will usually be sent to you within 7 days after the hearing.

Some towns may not always follow legal requirements in administering their local welfare programs. If you feel you have been denied the protections listed in this pamphlet or have any questions, please call LARC.

## **Mailing Address...**

LARC  
PO Box 4147  
Concord, NH 03302-4147

## **Other brochures...**

Child Support	Security Deposit
Divorce/Separation	Tenant Rights
Domestic Violence	Town Welfare
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**Call LARC at 1-800-639-5290 or 603-224-3333**

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1-800-639-5290 o al 603-224-3333.

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