

## **Chapter 1 – PROGRAM OVERVIEW**

### **Section 100 Overview**

**Chapter 1** provides an overview of the contents of the Veterans Service Commission (VSC) Financial Assistance Program. Subjects contained in Chapter 1 are as follows:

- Introduction
- VSC Policy Statement for Financial Assistance
- Financial Assistance Eligibility
- Application for Assistance

### **Section 101 - Introduction**

#### **1. VSC Authority**

Ohio Revised Code (ORC) 5901 provides for the establishment of a Veterans Service Commission in each county throughout the state of Ohio. The mission of the Hamilton County Veterans Service Commission (VSC) is to provide advocacy to Veterans, active-duty members of the Armed Forces of the United States, and their dependents in obtaining benefits and entitlements from federal, state, and local agencies.

#### **2. VSC Composition**

*The Hamilton County Veterans Service Commission consists of five (5) Commissioners.*

The Hamilton County Court of Common Pleas appoints five (5) Commissioners from the nominees submitted by the local chapters of the various congressionally chartered veterans' organizations, i.e. the American Legion (AL), Veterans of Foreign Wars (VFW), American Veterans (AMVETS), Disabled American Veterans (DAV), Military Order of Purple Heart (MOPH), Vietnam Veterans of America (VVA), and the Korean War Veterans (KW).

*Appointments are for a period of up to five (5) years. Appointment terms for Commissioners can be renewed and/or extended by the respective appointing authority.*

### **3. VSC Funding**

The Hamilton County VSC is a county agency and is funded totally from Hamilton County property tax revenues to help Hamilton County veterans and their families. The VSC does not receive any direct federal or state funding. The VSC is not part to the United States federal government, the Department of Veterans Affairs, or any Department of Defense agency. Therefore, the Hamilton County VSC has sole jurisdiction to establish its own operating policies, procedures, and methods to meet the veteran's service and financial assistance requirement pursuant to ORC Section 5901.01 to 5901.99 and to the provisions in the VSC Financial Assistance Program.

### **4. VSC Staffing**

The VSC is authorized under ORC 5901 to employ the necessary staff members to assist them in carrying out their VSC duties. The Hamilton County VSC employs an Executive Director under ORC 5901.06, Chief Service Officers, Veterans Service Officers and other administrative personnel to service clients and handle the daily operation of the VSC.

### **5. VSC Service Functions**

*There are two major functions within the VSC.*

- A. The first function is referred to as **"Service Assistance"**. This function involves assisting clients with the processing of claims for benefits from the federal, state, and local governments related to veterans and their military service.
- B. The second function is referred to as **"Financial Assistance"**. This function involves providing timely financial assistance to qualifying veterans and their dependents.

### **6. Financial Assistance Program**

This manual addresses the various aspects of the financial assistance program. The policies and procedures in this manual are designed to ensure the VSC treats all clients in a fair, equitable and consistent manner, and at the same time ensure the financial award decisions and disbursement process meet the highest professional standards.

## Section 102 - Policy Statement for Financial Assistance Program

### 1. General Statement

It is the policy of the Hamilton County Veterans Service Commission (VSC) to provide timely financial assistance to any person entitled to it, providing they meet all eligibility requirements of the Ohio Revised Code (ORC) and the provisions of the VSC Financial Assistance Program.

#### 1. Financial Assistance Definition

Financial Assistance is a short-term temporary program to assist veterans and their dependents on an emergency basis. Financial assistance is not a pension, income supplement, or an automatic entitlement program.

***\*Definition of income supplement: Income supplement shall be considered to exist when the applicant's monthly obligations routinely exceed the applicant's monthly income i.e., living above one's means.***

#### 2. Emergency Definition

For the purpose of determining eligibility to receive financial assistance, an "emergency" is a situation that possesses all of the following characteristics:

- It arose unexpectedly.
- Created an immediate need for financial assistance.
- The *situation* at hand or in question was not a result of the applicant's own misconduct.

## Section - 103 Financial Assistance Eligibility

### 1. Eligibility Defined

Each applicant for emergency financial assistance must be a veteran, active-duty member of the Armed Forces of the United States, or the spouse, surviving spouse, dependent parent, minor child or ward of a veteran or an active-duty member of the Armed Forces. Eligibility requires residency in Hamilton County.

## **2. Veteran Defined**

As used in section 5901.08 and other sections of the Revised Code regarding applications for financial assistance under sections 5901.02 to 5901.15 of the Revised Code, “veteran” means either of the following:

- A.** A person who served in the Armed Forces of the United States on active military duty and was discharged from the service under honorable conditions, and who either served on active duty for reasons other than training or while serving on active duty for training, incurred a disability recognized by the Department of Veterans Affairs or Department of Defense as service connected.
- B.** A person who served in the United States Merchant Marine, who either served on active duty for reasons other than training or while serving on active duty for training, incurred a disability recognized by the Department of Veterans Affairs or Department of Defense and service connected and to whom either of the following applies:
  - 1.** The person has an honorable report of separation from the active-duty military service, form DD214 or DD215.
  - 2.** The person served in the United States Merchant Marine between December 7, 1941, and December 31, 1946, and died on active duty while serving in a war zone during that period of service.

## **3. Client Defined**

For purpose of intake requests for financial assistance, an applicant who is a veteran or active-duty member of any Armed Force of the United States or service component, a spouse, widow, minor child or ward, parent of a veteran, will be referred to as the “client”.

## **Section 104 - Applications for Assistance**

### **1. Application Form**

All applications for assistance are made on the forms provided by the Veterans Service Commission (VSC). This form is called the Financial Assistance Application each includes statements from the client on household income, assets, property, bank accounts, and monthly expenses. The veteran, spouse, power of attorney or payee must complete an application, applications may be submitted in person or online. The application may also be mailed to the applicant, applicant can return the application via mail, email, fax or brought back in person. Only applications for the veteran, spouse, widow, dependent children, and wards of dependent parent's expenses will be considered.

### **2. Proof of Military Service**

Financial Assistance Applications must be accompanied by a legible copy of the veteran's Discharge from Active Duty, DD214, WE-53-55 form, or verification letter from the Department of Veterans Affairs database.

### **3. Proof of Residency**

The client must provide proof of residency in Hamilton County. If the client is a veteran, the veteran must provide residency proof. If the client is a spouse, widow, parent or custodian for a veteran's dependent children, proof of residency will be required for the client.

### **4. Privacy of Information**

The Ohio Revised Code (ORC) provides that Financial Assistance files are not for public record. However, the record of Financial Assistance approved or denied, including the name, address, occupation of the client, and amount of assistance awarded, is a matter of public record.

### **5. Verification of Information**

The Veterans Service Commission reserves the right to verify all information provided on the financial assistance application. Falsification of an application may disqualify applicant from receiving benefits, may result in legal effort to obtain repayment of benefits awarded and may result in criminal prosecution.

## **Chapter 2 – GUIDELINES**

### **Section 200 Overview**

Chapter 2 provides information concerning the guidelines for providing Financial Assistance approved by the Hamilton County Veterans Service Commission (VSC). Subjects contained in Chapter 2 are as follows:

- **Approved VSC Guidelines for Financial Assistance**
- **Items Not Paid by VSC**

### **Section 201 - VSC Approved Guidelines for Financial Assistance**

The primary goal of the Financial Assistance program is to help veterans and their dependents that need temporary, emergency financial assistance on a short-term basis.

When someone other than the legal spouse or legal dependent of the veteran is living with the veteran and financial assistance e.g., rent, mortgage, and utilities is awarded, this assistance may be pro-rated to cover the veteran, legal spouse, and/or legal dependents only.

Financial Assistance is not a pension, income supplement, or an automatic entitlement program, but is a short-term temporary program to assist on an emergency basis to provide the basics of life.

#### **1. General Guidelines**

- A copy of a current photo ID (driver's license or state ID) must be in the client's file.
- Any financial assistance requests pertaining to a family member of an employee of the Hamilton County Veterans Service Commission must be reviewed, approved, or denied by a quorum of the of the Veteran Service Commission.
- Any Financial Assistance requests pertaining to a current/past employee of the Hamilton County Veterans Service Commission must be approved/denied by a quorum of the Veterans Service Commission.
- Qualifying individuals on permanent assistance program may request/apply for additional Financial Assistance.

## **2. Residency Guidelines**

- A.** Current residency of the veteran in Hamilton County must be proven each time a client applies for Financial Assistance.
- B.** The client must provide proof of residency, other than a handwritten item. The proof must have the client's name, address, and a date.
- C.** The VSC does not consider being in the Veterans Administration Medical Center, or a place of incarceration, e.g., county jail, state prison or state mental facility as proof of residency in Hamilton County. The client must submit proof of residency for Hamilton County prior to the client being in the Veterans Administration Medical Center or any other transient rehabilitation centers.
- D.** Homeless veterans may qualify for Financial Assistance only after enrollment into or completion of a work program, e.g., Goodwill Industries or comparable programs/homeless programs. The VSC's priority shall be contacting support programs equipped to deal with homeless issues.

## **3. Marriages and Family Certification**

- A.** A copy of a valid marriage certificate is required to be on file.
- B.** A common law statement, if valid in the state where the marriage took place, is acceptable. In Ohio, the common law statement date must be verified to be prior to October 10, 1991. Ohio does not recognize common law marriages after this date.
- C.** Widows and widowers need both a marriage certificate and a death certificate on file.
- D.** A married veteran's file shall be cross-referenced for purposes of on-going assistance.
- E.** Custody orders (for those children not living with both biological parents) and birth certificates for all children listed on the Financial Assistance Application are required to be in the client's file.
- F.** A veteran's dependent in the household is considered a legal relative if the dependent is under the age of 18 and the biological child of the veteran, or if the veteran has a legal custody order for the dependent.

- G. The VSC does not consider children over the age of 18 as dependents unless proof is provided that: 1) the child is attending high school; or 2) the child was mentally or physically disabled before the age of 18; or 3) the dependent is between the ages of 18 and 23, is enrolled fulltime in an institution of higher learning, and lives in the veteran's household.
- H. If the client claims to pay and/or receive support payments, verification of custody and support orders is required.
- I. The VSC does not consider a child's Social Security card as proof of parentage or custody. A birth certificate must be provided for each child.
- J. A person with legal custody of a veteran's child can receive Financial Assistance for the child. Proof of custody is required as well as a copy of the veteran's DD214. In cases where an active-duty member of the Armed forces gives custody, whether formally or informally, to another person, that person must present a copy of the most recent Leave of Earnings Statement or orders to Active Duty to receive Financial Assistance.
- K. If the applicant claims to be separated from the veteran, an affidavit must be signed by the applicant, attesting to such. **A separated spouse is limited to receiving Financial Assistance three (3) times in a lifetime.**
- L. Total household income verification must be provided with each application.
- M. Divorced spouses requesting financial assistance based on a qualified child will seek child support from the veteran prior to applying for financial assistance. Proof must be on file prior to granting assistance.

#### 4. Table of Maximum Monthly Allowances

##### A. FOOD

1 person	\$300.00
Each additional person	\$100.00
Maximum	\$600.00
Restaurant	\$300.00
Special Diet	\$300.00

##### B. PERSONAL HYGIENE

1 person	\$ 75.00
Each additional person	\$ 25.00
Maximum	\$150.00

##### C. CLOTHING

1 person	\$125.00
Maximum	\$500.00

#### 4. Utilities Guidelines

- A. Payments for utilities will only be considered if the utilities are in the name of the veteran or spouse and at the location currently claimed as the veteran's residence.
- B. Poor payment history by the claimant may be grounds for denial of assistance by the Veterans Service Officer.
- C. Claimants over the age of 65 and who qualify for HEAP may apply for peak season energy assistance. Assistance will be limited to 1 help per year.

**Gas/Electric – Pay current charges only. (No previous charges).**

**Water – Pay current charges only. (No previous charges).**

**Telephone – Only considered when there is a documented medical necessity for phone service. (No previous charges).**

## **6. Rental & Mortgage Guidelines**

- A.** To be considered for assistance for rent or mortgage payment, the claimant must provide a current landlord statement (**furnished by VSC**) or mortgage statement.
- B.** The Veterans Service Commission will not make payment for rent or mortgage assistance if the claimant is living with the landlord or if a family member is the owner of the property.
- C.** The Veterans Service Officer will pro-rate/split the requested mortgage/rent payment if claimant is sharing expenses with a live-in/roommate or other non-dependent member of the household.
- D.** In cases where the claimant is severely delinquent with rent or mortgage the VSC upon presentation of either of the following two items, may be able to help.
  - 1. A statement from the claimant's landlord or mortgage company indicating a partial payment is acceptable in lieu of eviction or foreclosure or,
  - 2. Upon receipt of verification from the applicant demonstrating that the applicant can, from his own funds, make a partial payment, the Service Officer may award funds needed to enable the applicant to make a full payment.

## **7. Employment Considerations**

- A.** Sudden unexpected unemployment constitutes a well-grounded claim for Financial Assistance. In these cases, the applicant must demonstrate that he or she has applied for or is in receipt of unemployment compensation benefits.
- B.** Conversely, a pattern of chronic unemployment may be grounds for denial of Financial Assistance application.
- C.** All persons who apply to the VSC due to unemployment shall be required to register with the State Veterans Representatives and provide verification of enrollment and provide verification of enrollment.
- D.** An applicant who claims to be self-employed must provide their previous year's Federal Income Tax statement and their previous monthly bank statement. Refusal to do so could result in a denial of claimant's application.

## 8. Medical Expenses

- A. The VSC authorizes emergency tooth extractions as reason to grant Financial Assistance. This is for extractions only. It is the responsibility of the applicant to provide a written estimate by the provider.
- B. The Veterans Service Commission will not otherwise consider medical expenses but may help with other authorized items in the hope that the claimant could then afford his/her medical expenses. The Service Officer will then refer the applicant to ODJFS to apply for medical benefits from that agency.
- C. The Service Officer will also assist the veteran in obtaining the services of the VA Medical System.

## 9. Income Guidelines

- A. As outlined on the Financial Assistance application the applicant is required to provide income information for the past 30 days.
- B. A work verification form will be requested from the claimant's employer (**furnished by VSC**). In some cases, the applicant may be asked to provide a copy of his/her pay stubs. For individuals paid biweekly this would mean providing their last two (2) stubs and for applicants paid weekly, providing their last four (4).
- C. Self-employed applicants will be required to provide their previous years Federal Income Tax statement and their previous monthly bank statement.
- D. Financial assistance will be considered based on total household income. All income must be disclosed.
- E. Any type of income, including but not limited to, public assistance, grant monies, student loan proceeds, monies, income from another household member (whether related or not related), dividends or interest, rental income, must be included as income and documented.
- F. Current checking and savings account statements may be requested with applications.
- G. Assets should be noted. Include any cash or loan value of life insurance policies, IRA value and IRA loan value, value of home and any properties, value of auto, etc.

## **10. Expense Guidelines**

- A.** As indicated on the Financial Assistance application, the applicant will be required to provide his/her last 30 days' expenses. The applicant may be required to provide verification of payment for these expenses.
- B.** The actual bills or written estimates are required any time the client is requesting assistance.
- C.** If the applicant is requesting payments for house insurance or property tax payments, verification of the expense should be provided with the application.

## **11. Deceased Veterans Guidelines**

- A.** If the veteran is deceased, the VSC must have proof of the veteran's death to consider benefits.

## **12. Payments for Home Repairs**

- A.** Assistance may be granted for client's home repairs. Normal income, residency and other policy guidelines must be met, and the client must have written documentation from the repair company.
- B.** The veteran must also have proof of ownership of the property and must reside at the property.
- C.** No repair payment will be made to landlords of rental property occupied by the veteran or client.
- D.** Examples of repairs that may be considered are water heater or plumbing repair or replacement, furnace repair, electric repair, refrigerator or stove repair or other items necessary for normal household living.
- E.** No cosmetics or unnecessary repairs or improvements will be considered. Additional information may be requested before granting a decision.

### **13. Items Not Paid by VSC**

- A. The Veterans Service Commission (VSC) does not consider the following to be emergency issues for the purpose of financial assistance.
- Rental, lease, or mortgage deposits.
  - Rent or mortgage or land contracts to any relative of the veterans.
  - Personal taxes.
  - Cable television/Direct TV.
  - Personal loans.
  - Bills in a name other than the veteran, their spouse, or a payee for the applicant.
  - The VSC does not pay the landlord if the veteran is living with the landlord.
  - Legal fees include court ordered fines, penalties, bail, and child support payments.
  - No financial assistance will be granted to incarcerated claimants after release who were not residents of Hamilton County prior to incarceration.

### **14. Other reasons for not being eligible for Financial Assistance benefits:**

- Evidence that the applicant lives beyond the means of the household.
- Chronic unemployment with no evidence of attempts to become employed.
- Criminal conduct resulting in financial hardship, e.g., DUI, DUS, driving without insurance, shoplifting, non-support of child support payments etc.
- Poor financial management or decision making.

### **15. Decision-making by the VSC**

Financial Assistance is a privilege and not a right. Service Officers will use applications to arrive at the most consistent decisions possible. All considerations outside these guidelines may be considered by the Executive Director and/or by the Board of Commissioners of the Hamilton County Veterans Service Commission.

## **Chapter 3 – APPLICATION AND APPEAL PROCESS**

### **Section 300 Overview**

#### **Section 301 - Process**

##### **A. Levels at which Applications for assistance are processed.**

- 1) Service Officer
- 2) Chief Service Officer
- 3) Executive Director
- 4) Hamilton County Veterans Service Board of Commissioners

Decisions on Application for Assistance may be made by any Service Officer, Chief Service Officer, or the Executive Director, if in keeping with the guidelines established by the Board of Commissioners of the Hamilton County Veterans Service Commission. Applications wishing to have their application acted upon directly by the Board will be scheduled to appear in person before the Board at a regularly scheduled monthly meeting.

#### **Section 302 – Appeal**

##### **B. APPEALS ON DECISIONS ON APPLICATIONS FOR ASSISTANCE**

Applicants wishing to appeal, the decision of Application for Assistance may appeal through all higher levels of determination with final determination being made by the Board of Commissioners of the Hamilton County Veterans Service Commission.

## **Chapter 4 – Fraud and Sanctions**

### **Section 400 Overview**

Chapter 4 Deals with those situations in which financial assistance applications knowingly try to defraud or deceive the VSC for the purpose of obtaining financial assistance. In all cases where the Executive Director has reason to believe that an applicant has engaged in fraud, the Executive Director will contact the Sheriff's Office for further investigation and charges if warranted.

If the Sheriff's Office, after investigation, files criminal charges related to the fraudulent conduct against the applicant, the applicant's ability to apply for and receive Financial Assistance will be suspended until such time as the charges are judicially determined.

Thereafter, upon a plea of no contest or guilty or upon conviction on the charges, the VSC will, on the first offense, deny the applicants ability to apply for and receive Financial Assistance for a period of three years. Upon a second offense, the VSC will deny the applicant's ability to apply for and receive Financial Assistance permanently.

### **Section 401 - Suspicion of Fraud**

- A. If a Service Officer or other VSC employee suspects an applicant of fraud or attempted fraud in the process of applying for or receiving Financial Assistance from the VSC employee will discuss the matter with the Executive Director, presenting all information related to the allegation.
- B. If, after reviewing all relevant information, the Executive Director determines that the applicant may have engaged in conduct that constitutes fraud, he will notify the Sheriff's Office and request further investigation.

## **Section 402 - Reinstatement of Eligibility**

A client who has been found to have committed fraud shall not be eligible to receive Financial Assistance until all the following has taken place:

- The period of suspension imposed by the VSC has expired.
- The claimant has repaid, in full, all funds obtained by his or her fraudulent conduct.
- The claimant is found to be otherwise eligible.

## **Section 403 - Unacceptable Behavior**

Clients of the VSC are expected to conduct themselves appropriately while in the VSC offices. Examples of unacceptable behavior in the VSC offices include but are not limited to the following:

- Being under the influence of alcohol or drugs
- Cursing, swearing, or making obscene gestures.
- Verbally abusing VSC personnel.
- Threatening the safety of VSC personnel.
- Damaging or threatening to damage personnel or office property.

## **Section 404 - Sanctions**

Depending on the severity of the misconduct described above, the Executive Director may direct the client to leave or may contact the Sheriff's Office for assistance.

Upon recommendation of the Executive Director, the VSC may impose sanctions on a client who repeatedly engages in inappropriate conduct.