

## **10A NCAC 97C .0107 ELIGIBLE PROGRAM PARTICIPANTS**

(a) The official poverty guidelines established by the Director of the Office of Management and Budget shall be used as a criteria of eligibility for all services provided to program participants by grant recipients. "Services" is defined as an act of assistance and/or direct benefit to a family unit. The poverty guidelines are revised annually.

(b) For the purpose of determining eligibility, the following definitions shall apply:

- (1) **Unrelated Individual.** An unrelated individual is a family unit of one if that individual is 15 years old or over and not an inmate of an institution. An unrelated individual may be the sole occupant of a housing unit, or may be residing in a housing unit (or group quarters such as a rooming house) in which one or more persons also reside who are not related to the individual in question by birth, marriage, and/or adoption. (Examples of unrelated individuals residing with others include a lodger, a foster child, a ward, or an employee.)
- (2) **Family.** A family unit of two or more persons related by birth, marriage, and/or adoption who reside together. All such related persons are considered as members of one family. (If a household includes more than one unrelated individual, the poverty guidelines are applied separately to each family and/or unrelated individual, and not to the household as a whole. If an unrelated individual lives with a family, the poverty guidelines are applied separately to each family unit.)
- (3) **Income.** Refers to total cash receipts before taxes from all sources. These include money wages and salaries before any deductions, but do not include food or rent in lieu of wages. These receipts include net receipts from nonfarm or farm self-employment (e.g. receipts from own business or farm after deductions for business or farm expenses). They include regular payments from public assistance (including Supplemental Security Income), social security or railroad retirement, unemployment and workers' compensation, strike benefits from union funds, veterans' benefits, training stipends, allotments or other regular support from an absent family member or someone not living in the household; private pensions, government employee pensions, and regular insurance or annuity payments; and income from dividends, interest, rents, royalties, or periodic receipts from estates or trusts. For eligibility purposes, income does not refer to the following money receipts: capital gains; any assets drawn down as withdrawals from a bank, sale of property, house, or car; tax refunds, gifts, lump-sum inheritances, one-time insurance payments, or compensation for injury. Also excluded are non-cash benefits, such as employer-paid health insurance and other employee fringe benefits, food or rent received in lieu of wages, the value of food and fuel produced and consumed on farms, and the imputed value of rent from owner occupied nonfarm or farm housing.

(c) The period for determining the annual income must not be more than 12 months nor less than the 90-day period preceding the request for assistance by the individual applicant.

(d) The income of all members of each family unit must be included in determining the income eligibility.

(e) Proof of income eligibility is required of all applicants which apply for assistance.

- (1) When the applicant applies for any service provided by the grant recipient, the applicant must sign a self-declaration statement indicating his/her annual income and the income of any other members of the family unit.
- (2) The grant recipient must make a reasonable number of spot checks of family units to verify income given in the self-declaration statements. In making the spot checks, the grant recipient should contact appropriate sources, such as employer, local Department of Social Services, Social Security Administration, or other appropriate sources to obtain written documentation. This documentation should be attached to self-declaration statement.
- (3) The self-declaration statement should contain a "Certification and Waiver of Privacy Rights" statement. The applicant should be informed that the grant recipient will check some of the applicants to verify the information on the self-declaration statement. By signing the "Certification and Waiver of Privacy Rights" statement the applicant is authorizing the release of confidential information in order to verify income.

*History Note: Authority G.S. 143B-10; 143B-276; 143B-277; 143-323(d);  
Eff. December 1, 1983;  
Amended Eff. July 1, 1988;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015.*