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| MICHIGAN DEPARTMENT OF HEALTH & HUMAN SERVICES |   | Item 701 | Page 1 of 7  |
| Community Services Policy Manual               | SUBJECT: Low Income Home Energy Assistance Program (LIHEAP)<br><br><b>INCOME ELIGIBILITY GUIDELINES</b> |          | EFFECTIVE DATE<br><b>10/1/2018</b><br>ISSUE DATE<br><b>12/1/2017</b> |

## REFERENCES

- Federal Register, U.S. Department of Health and Human Services (HHS) Annual Update of the Federal Poverty Guidelines,
- U. S. Department of Energy (DOE), Weatherization Assistance Program (WAP) Notices
- Community Services Policy Manual
- Retrofitting Michigan Field Guide
- Technical Weatherization Policy
- WAP Agreements
- Department of Health & Human Services LIHEAP State Plan

## PURPOSE

Grantees are required to administer the LIHEAP grant following a combination of U.S. Health and Human Services (HHS) regulations pertaining to weatherization activities and U.S. Department of Energy (DOE) Weatherization Assistance Program (WAP) regulations.

## POLICY

The Grantee is required to use 200 percent of poverty income guidelines to determine income eligibility for weatherization assistance under the Low Income Home Energy Assistance Program. Income refers to total cash receipts (gross) before taxes from all sources (see Income Inclusions/Exclusions below) for all household members.

## Applicant's File

Grantees must maintain a file for all recipients of weatherization services. A copy of the client's FACSPRO Customer Report or the DHS-4283 with original client and agency signatures must be in the physical file. All other required file documents must be uploaded onto FACSPRO (See CSPM Item 612, CSPM Item 903, and CSPM Item 909).

## Re-Certification of Application

An applicant must be re-certified when eligibility lapses due to the length of time the applicant was waiting to receive Weatherization services. Re-certification must occur at least every 12 months from date of application. (See CSPM 612)

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### **Automatic Income Eligibility**

A household is automatically income eligible if any household member received any of the following payments at any time during the 12-month period preceding the determination of eligibility for weatherization assistance:

- Cash assistance payments under Title IV (FIP) or, XVI of the Social Security Act (SSI)

**NOTE:** The receipt of these benefits in the previous twelve months must be documented in the applicant's file. The State's quarterly SSI payments do not need to be documented but must be included in the calculation.

### **Household Composition**

Income from all household members is used to determine income eligibility. A household is all persons occupying a housing unit, regardless of whether they are related.

### **Roomers**

For applicants/households that **have "roomers"** paying rent, the "roomer" is not considered a member of the "household" and the income of the "roomer" is not counted for income eligibility. However, the rent from the roomer should be included as income.

### **Income Computations**

An applicant's household's gross **ACTUAL INCOME** for the *preceding three-month period including the date of application* is computed in FACSPRO to be **annualized**.

Gross income is the total income received before deductions such as taxes, medical premiums, retirement plans, garnishments, child support, or other deductions. Gross income for all household members (except as specifically excluded) is countable income.

For example, an application dated June 7 would have a three-month period of March 8 – June 7. Income must be entered into FACSPRO using the Annual option and entering the last three months of income.

**Note:** If a three-month lookback period is not representative of a household member's annual income, Grantees have the option of requesting a *six or twelve-month period* of documentation. An explanation of using this option must be clearly noted.

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For each household member, the income computation process should include actual received current gross income documentation, current and prior monthly benefit documentation, W-2s or income tax returns for prior year's income, and, **as a last resort**, self-declarations. (See **Self-Declarations** below).

**Best Practice-** Pay period ending dates should not be used unless it is documented that the applicant/household member receives their payments on the same date.

### Documentation of Income

Income must be thoroughly documented and uploaded to FACSPRO (See CSPM 612-Applicant File Documentation). The following items are acceptable documentation:

- Copies of paychecks or pay stubs
- Written statements from employers
- Letters, benefit statements, or other documents from income sources, e.g., DHHS, Social Security, VA
- Unemployment Benefit determination letter or online benefits information
- If self-employed, accounting and other business records showing net income
- W-2 statements and tax forms

**NOTE:** W2's will seldom be adequate by themselves, since W2's usually report a period ending well in advance of the date of application. An exception may be made for the self-employed, since tax records are a convenient source of information about their income. However, W2's should be used in conjunction with a self-declaration.

- Other documents the Grantee has reason to believe will **fully verify** the household income of the applicant

### Self-Declarations of Income

After all other avenues of documenting income eligibility are exhausted, self-declaration is allowable, *but evidence of the various attempts at proving eligibility must be contained in the client file, including a notarized statement signed by the applicant indicating that no other proof of income is available.*

If the self-declaration is for zero income **for the entire household**, then along with the declaration being notarized, approval by MDHHS BCAEO staff is also required, and a

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copy of the approval must be in the client file. Requests for approval must be submitted by email to the Grantee's grant manager.

The requests should include the name and FACSPRO System ID for each household member and an explanation of how the household is paying for their living costs.

### **INCOME INCLUSIONS/EXCLUSIONS:**

#### **Income Guidelines**

Refer to CSPM Item 208, Poverty Income Guidelines, for the most current poverty income guidelines.

#### **Income includes:**

1. Gross wages/earnings and salaries before any deductions.
2. Self-Employment Income for each type of self-employment activity or business (See Self-Employment Income section below).
  - Net receipts from non-farm or farm self-employment (receipts from a person's own business or from an owned or rented farm after deductions for business or farm expenses).
3. Wages from Assistantships, Work Study and Student Stipends.
4. Social Security (Retirement, Survivor's, Dependent's, and Disability Insurance) gross benefits, including **any** Medicare premium.
5. Supplemental Security Income (SSI)\*.
6. Railroad Retirement\*.

**\*Note:** Retroactive lump sum payments for Supplemental Security Income (SSI), Social Security Insurance or Railroad Retirement Benefits should be prorated on a 12-month basis so that only benefits covering the three-month calculation period are included.

7. State SSI Supplemental Quarterly Payment.
8. Unemployment Compensation Benefits, Strike Benefits from Union Funds.
9. Worker's Compensation, and/or private Long and Short Term Disability Payments.
10. Veteran's Payments: VA Service Connected Disability Compensation; VA Non-Service Connected Disability Pension; Military Retirement Pay, and Military Family Allotments.

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11. TANF- Family Independence Program-FIP (Cash Assistance Title IV) and State Disability Assistance-SDA.
12. Alimony or Spousal support.
13. Private Pensions, Government Employee Pensions, and other Retirement income (not including Social Security Retirement Income).
14. Annuity Payments and Insurance Payments.
15. Income from Individual Retirement Accounts (IRAs) received during the computation period, whether received as monthly or in a lump-sum withdrawal.
  - Note:** Lump-Sum IRA withdrawals should be prorated on a 12-month basis and the three months of prorated amount should be included in the computation.
16. Income from Dividends, Interest, Stocks and Bonds.
17. Training Stipends
18. Net Rental Income, including income from Roomers.
19. Net Royalties, Net Gambling/Casino, or Lottery winnings.
20. Periodic Receipts from Estates or Trusts.
21. Tribal Payments - Any payments received by Native Americans, such as income from Casinos or other Tribal Income.
22. Joint Income received by more than one individual. Divide the income equally among recipients.
23. Third party benefits paid directly to a company for a client's housing or bills. Third party benefits are only counted as income if they are paid to a company or entity in lieu of paying an individual alimony or wages directly.

**Income excludes:**

1. Combat Zone pay to the Military.
2. Housing Assistance to the Military.
3. Capital gains or money from the sale of a house, property, or vehicle.
4. Any assets drawn down as withdrawals from a bank or financial institution.

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5. Emergency Assistance Program payment to a family or a person who is in temporary financial difficulty.
6. Tax refunds or Earned Income Tax Credits.
7. Loans or Gifts.
8. Lump-Sum Inheritances.
9. Compensation for injury or one-time Insurance Payments.
10. Non-cash benefits such as the employer paid or union paid portion of health insurance or other employee fringe benefits (including the imputed value of health insurance for domestic partners).
11. Food or housing received in lieu of wages (in-kind).
12. The value of food and fuel produced and consumed on farms or the imputed value of rent from owner-occupied non-farm or farm housing; depreciation for farm or business assets.
13. Federal Non-Cash Benefit programs such as: Medicare (Medicare premiums are **not** excluded), Medicaid, Food Assistance Program benefits (including cash received in lieu of food stamps), school lunches, housing assistance, Childcare Vouchers, WIC, LIHEAP, or Affordable Care Act Subsidy.
14. Reverse Mortgages.
15. College Scholarships and Grants.
16. Child Support.
17. Foster Care Payments, Adoption Subsidies, Family Support Subsidies, and Guardianship Assistance Payments.
18. Student Income-Income earned through employment by a child who is age 18 and under, **and** attending high school.

**NOTE:** "Earnings" do not include program benefits such as Social Security, Supplemental Security Income, etc.; these **are included** in the total household income.

### **Self-Employment Income**

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Self-employment income must be documented for each type of self-employment activity or business.

Business expenses may be deducted from the gross income amount determined for each self-employment activity/business.

Documentation of claimed expenses must be included in the client file information.

**NOTE:** Losses from a single self-employment source of income cannot be applied to any other self-employment income or other household income types.

**Example:** If self-employment business A realizes a loss of \$10,000, the income from that source is considered zero. The \$10,000 loss cannot be deducted from self-employment business B or other household income.

### Self-Employment Expenses

Allowable expenses include all of the following:

- Identifiable expenses of labor, stock, raw material, seed, fertilizer, etc.
- Interest and principal on loans for equipment, real estate or income-producing property
- Insurance premiums on loans for equipment, real estate and other income-producing property.
- Taxes paid on income-producing property.
- Transportation costs while on the job (example: fuel)
- Purchase of capital equipment.
- A child care provider's cost of meals for children. Do **not** allow costs for the provider's own children.
- Any other identifiable expense of producing self-employment income except those listed below.

The following are **not** allowable expenses:

- A net loss from a previous period.
- A net loss from another type of self-employment.
- Federal, state and local income taxes.
- Personal entertainment or other individual business expenses.
- Money set aside for retirement.
- Depreciation on equipment, real estate or other capital investments.

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## REFERENCES

- WAP Agreement
- Retrofitting Michigan Field Guide
- Technical Weatherization Policy
- Community Services Policy Manual

## PURPOSE

Grantees are required to administer the LIHEAP grant following a combination of the U.S. Department of Energy Weatherization Assistance Program Regulations and the State of Michigan Annual LIHEAP State Plan.

## POLICY

The Grantee is required to prepare a Weatherization Assistance Program Monthly Programmatic Report, DHS-1071, in accordance with the instructions in CSPM Item 602 of this policy manual.

The Grantee shall submit the LIHEAP Activity Report (DHS-1073) to the Department of Health & Human Services (DHHS) no later than 30 days following the completion of the Agreement period of each program year. The report is available in the FACSPRO Document Center. The report shall be submitted electronically to the following email address:

[MDHHS-BCAEO@michigan.gov](mailto:MDHHS-BCAEO@michigan.gov)

The Grantee is required to have all weatherization jobs for the report month entered by the fourteenth (14<sup>th</sup>) day of the month following the report month into the DBA FACSPRO database. BCAEO will extract DHS-1071 report information from FACSPRO the fifteenth (15<sup>th</sup>) day of the month following the report month.



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## REFERENCES

- WAP Agreement
- Community Services Policy Manual
- Technical Weatherization Policy Manual (TWP)
- Retrofitting Michigan Weatherization Field Guide
- Michigan Public Act 523 (2014)

## BACKGROUND

Grantees are required to administer the LIHEAP grant following a combination of the U.S. Department of Energy (DOE) Weatherization Assistance Program (WAP) Regulations and the State of Michigan Annual LIHEAP State Plan.

## POLICY

Grantees are required to administer this grant following the DOE WAP regulations and the U.S. Department of Health and Human Service (HHS) LIHEAP regulations. The Community Services Policy Manual (CSPM) will prevail when the manual has policy that contains requirements different from LIHEAP and/or WAP regulations.

The Grantee will determine which weatherization measures will be completed on an eligible dwelling unit in accordance with the Retrofitting Michigan Field Guide, Technical Weatherization Policy Manual (TWP) and CSPM.

### General Program Requirements

The Grantee shall weatherize eligible dwelling units in its service area as detailed in the Grantee's LIHEAP Weatherization Assistance Program Plan, as approved by the Michigan Department of Health & Human Services (DHHS).

The Grantee will maintain a basic service system which includes an outreach/intake system, a method of installing measures, audit/inspection procedures, qualified crews and/or subcontractors, and maintenance of quality control procedures to ensure each dwelling weatherized is completed in compliance with all program requirements.

### Eligible Dwelling Units

All dwellings to be weatherized must be owner or renter occupied, and occupied by a household:

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1. Whose income is eligible using the percent of poverty level defined in CSPM 701 established by HHS , or
2. Which contains a member who has received any one of the following at any time during the 12-month period preceding the date of application for weatherization assistance:
  - Cash assistance payments under Title IV – Family Independence Program (FIP) or, XVI of the Social Security Act, Supplemental Security Income (SSI) or
3. Occupying a qualified rental dwelling unit in accordance with CSPM Item 608.
4. Occupying a shelter, group home or transitional facility in accordance with CSPM Item 608.1.

### Landlord Agreement

A landlord agreement is required. See CSPM 600 Series.

### Allowable Measures

Allowable measures to be installed are determined at the audit during the energy audit process. These measures will be outlined on the Quality Control (QC) checklist. Grantees must use the State of Michigan (SOM) approved audit to determine all appropriate measures to be installed in each unit. See the TWP for these requirements.

The Grantee may submit a waiver for approval from BCAEO to install specific ECM measures outside of SIR standards and/or specific Health and Safety measures that are not covered as allowable by the Weatherization Health and Safety plan (see CSPM 614). All waivers must be sent to the [MDHHS-BCAEO@michigan.gov](mailto:MDHHS-BCAEO@michigan.gov) mailbox. If the measure is approved, the Grantee is responsible for documenting the email approval from BCAEO and including it with the file documentation.

**Note:** Additional measures not called for in the audit may be implemented to reduce deferrals, with a cost not to exceed 25% of total job cost. Roof replacements are not permitted and are excluded from a waiver request.

Grantees may include the following measures where necessary:

- Energy Efficient Appliance repair and replacement including gas cook stoves
- Roof repairs (see further information below)

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- Water heater repairs and replacements
- Furnace repairs and replacements
- Solar screen installation
- Door installation
- Storm window installation

**LIHEAP funds may be used to:**

1. Provide LIHEAP WAP measures on units.
2. Provide additional measures on DOE units. NEAT/MHEA or the NEAT/MHEA Weatherization Measures shall determine the additional measures installed.
3. Provide energy education to LIHEAP eligible weatherization assistance client households. Energy education expenditures are limited to **5%** of the total LIHEAP allocation. Funds may be used for related staffing costs or materials purchased to support client education activities such as videos, pamphlets, energy education kits, etc. Agencies must have a method of tracking energy education expenditures and the ability to provide documentation upon monitoring.
4. Provide health and safety measures on eligible units.
5. Provide/attend training and technical assistance activities.

**Water Heaters**

- Replacement of water heaters shall be in compliance with TWP Section 7810.
- Funds cannot be used to convert to an electric water heater from another fuel source.

**Roof Repairs**

Roof repairs are permitted on owner and rental units. The repairs should be in accordance with (10) CFR 440.18 and the CSPM 600 series, Retrofitting Michigan Field Guide, and the TWP.

**Roof Replacements**

Roof replacements are not permitted.

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### Non-Energy Measures

The costs for non-energy measures cannot exceed 25% of the agency LIHEAP allocation. Grantees are responsible for tracking non-energy measure expenditures and providing documentation upon monitoring.

### Rental vs. Owner Unit Type - Allowable Measures

There are no restrictions to the measures installed to any unit based on it being a rental or owner unit. All allowable measures determined via the DOE approved audit for the State of Michigan are appropriately installed in any eligible unit regardless of the type.

### Re-Weatherization

Dwellings may not have additional weatherization services provided to them if they received weatherization services after September 30, 1994 and have not been damaged by fire, flood or act of God.

The Grantee may submit a waiver for approval from BCAEO to receive an exception to the re-weatherization rule. All waivers must be sent to the [MDHHS-BCAEO@michigan.gov](mailto:MDHHS-BCAEO@michigan.gov) mailbox. Exceptions will be considered for measures that require updates to improve the Health and Safety in the dwelling, to address a technical issue from previous weatherization work that is outside the scope of appliance warranty, or on a case by case basis on measures in a previously weatherized dwelling.

### Maximum Average Cost per Unit

The maximum allowable average cost per unit for LIHEAP expenditures for is \$7,261. Average cost per unit includes support, labor, and materials.

The Grantee may submit a waiver for approval from BCAEO to exceed the maximum allowable average cost per unit, which will be considered on a case by case basis. All waivers must be sent to the [MDHHS-BCAEO@michigan.gov](mailto:MDHHS-BCAEO@michigan.gov) mailbox. Agencies must submit justification for the high costs of jobs that lead to this exception being necessary. Agencies approved for an exception to the maximum allowable average cost per unit will also receive an update to their minimum unit production from BCAEO.

**Note:** Exceptions to the maximum allowable average cost per unit will not be granted for roof replacements or repairs. If the cost of a roof repair is more than the Grantee can allow in order to ensure compliance with the maximum average cost per unit, the Grantee should discuss with the home owner the option of the home owner paying

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the overage and refer them to their local CDBG provider for information on low or no-interest home repair loans.

### **Procurement of Vehicles and Equipment**

Vehicles and equipment may be purchased using LIHEAP funds.

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## REFERENCES

- LIHEAP Agreement
- Technical Weatherization Policy Manual (TWP)
- Michigan Weatherization Field Guide

## Purpose

To provide guidance on allowable activities using LIHEAP emergency funding associated with the Weatherization Assistance Program (WAP) to low income individuals and families in the event of disasters as declared by the President of the United States or the State of Michigan Governor.

## POLICY

Grantees of LIHEAP Emergency WAP funding must adhere to the following policy if utilizing funding toward disaster planning or relief.

The Grantee will determine the specific measures the funding will be used toward to contribute to the disaster relief using LIHEAP Emergency WAP funding. The Grantee must establish that the households receiving the specified services are income eligible and the actual housing unit is program eligible for services. The Grantee will provide specifics in their planning documents. All work completed on eligible dwelling units shall be in accordance with the Retrofitting Michigan Field Guide, Technical Weatherization Policy Manual (TWP) and CSPM.

Grantees must provide a detailed description in the required planning documents showing how many people are expected to be assisted, specific measures for the funds and how those measures are applicable to the disaster relief. Planning documents should also provide an outreach plan along with specific intent for funds.

## Income Eligibility

The Grantee is required to use 200 percent of poverty income guidelines to determine income eligibility for LIHEAP WAP emergency funding. Income refers to total cash receipts before taxes from all sources, for all household members, for the last 30 days. The 30 days of income must be annualized to provide the household percentage of poverty. FACSPRO completes these calculations for the Grantee. Refer to CSPM Item 208, Poverty Income Guidelines for the most current poverty income guidelines.

Refer to CSPM 701 for included and excluded income.

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### **Applicant File Requirements**

Grantees must maintain a file for all recipients of LIHEAP Emergency Weatherization services. A copy of the client's FACSPRO Customer Report with original client and agency signatures must be in the physical file. All other required file documents must be uploaded onto FACSPRO (See CSPM Item 612, Applicant File Documentation, and CSPM Item 903, FACSPRO Database Roles and Responsibilities).

### **Re-weatherization Work**

In the event of a declared federal or state disaster, LIHEAP WAP Emergency funding can be used on a home that has been weatherized previously, if the household is eligible and in need of the specified measures outlined in the Grantee planning documents.