

STATE OF RHODE ISLAND
EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES
APPEALS OFFICE

[REDACTED] Docket #: 26-2777

V. Case #: [REDACTED]

Department of Human Services Appeal #: [REDACTED]

DECISION

INTRODUCTION

The Appellant, [REDACTED], initiated this matter to appeal the Supplemental Nutrition Assistance Program (SNAP) closure made by the Department of Human Services (DHS). A Microsoft Teams hearing in this matter occurred on July 1, 2026, at 11:00 AM. The Appellant did not elect the option of a video hearing. For the reasons discussed in more detail below, the Appellant's appeal is denied.

JURISDICTION

The Executive Office of Health and Human Services is authorized and designated by R.I.G.L. § 42-7.2-6.1 and 210-RICR-10-05-2 to be the entity responsible for appeals and hearings related to DHS programs. The administrative hearing was held in accordance with 210-RICR-10-05-2 and the Administrative Procedures Act (R.I.G.L. § 42-35-1 et. seq.).

ISSUE

The issue is whether the closure of the Appellant's SNAP benefits was done in compliance with federal and state regulations.

STANDARD OF PROOF

It is well settled that in adjudications modeled on the Federal Administrative Procedures Act a preponderance of the evidence is required to prevail. This means that for each element to be proven, the factfinder must believe that the facts asserted are more probably true than false. 2 Richard J. Pierce, *Administrative Law Treaties* § 10.7 (2002) & see *Lyons v. Rhode Island Pub. Employees Council* 94, 559 A.2d 130, 134 (R.I. 1989). When there is no direct evidence on a particular issue, a fair preponderance of the evidence may be supported by circumstantial evidence. *Narragansett Electric Co. vs. Carbone*, 898 A.2d 87 (R.I. 2006).

PARTIES AND EXHIBITS

In attendance at the hearing were:

- DHS Eligibility Technician III Brandon Klibanoff
- The Appellant

The following exhibits were presented as evidence:

- Landlord Statement
- The Appellant's Appeal
- RI Bridges printout of the Eligibility Determination Results for the Appellant's case
- RI Bridges printout of the Unearned Income – Details screen for the Appellant's case
- Additional Documentation Required (ADR) notice
- Rent Receipts for February & March 2026
- Letter to the Hearing Officer regarding the Appellant's income
- RI Housing 1098 tax form for the Appellant's address
- The Appellant's Social Security Administration Benefit Verification Letter
- [REDACTED] Transaction Confirmation of March 24, 2026

- [REDACTED] banking statement for February/March 2026
- [REDACTED] banking statement for January/February 2026
- Benefits Decision Notice dated March 28, 2026

RELEVANT LAW/REGULATIONS

DHS requires verification of factors that relate to eligibility. This includes income. On occasion DHS may need to inquire into unreported income sources, such as when the shelter costs exceed the household's income. 218-RICR-20-00-1.5 (B) & -1.6 (E)(1)(b). When there is questionable data, DHS must issue a notice requesting verification of the data. DHS must give the household at least 15 days to respond. If the household responds with sufficient information the case is processed. If the household does not respond or responds with insufficient information, the case is closed and a notice of the closure is issued. 218-RICR-20-00-1.13.1 (E)(3).

All non-exempt sources of income need to be verified for a SNAP case to be approved. 218-RICR-20-00-1.6.8 (C)(4). All sources of income are counted unless specifically listed as being excluded under 218-RICR-20-00-1.5.3. Payments of household expenses by someone outside the household is considered a vendor payment. These payments may or may not be excluded depending on whether the money goes through the household's hand or not and if the income is owed to the household or not. See 218-RICR-20-00-1.5.2 (A)(2)(a)(10) & -1.5.3 (A)(2).

FINDINGS OF FACT

The Appellant lives alone in a house owned by their daughter. The Appellant is responsible for paying the mortgage on the property. This is approximately \$1,400 a month. The Appellant is currently on RSDI and only brings home just over \$1,000 a month. The Appellant's daughter is covering the balance of the mortgage for the Appellant. In addition, the Appellant's other children help with expenses such as internet, cell phone, and electricity.

The Appellant was on SNAP benefits. These benefits came up for renewal. As part of the renewal process the Appellant completed a renewal form and had an interview. In response, DHS asked the Appellant for documentation related to her income and expenses. Specifically, an ADR was issued on March 12, 2026, asking for unearned income payment verification and rent expense. The Appellant asserts that they uploaded documents onto the portal and mailed a copy to DHS prior to the due date of March 27, 2026. DHS asserts that they did not get the documents. DHS closed the Appellant's SNAP case for not turning in sufficient documents.

One of the documents that the Appellant claims to have submitted to DHS is a Landlord Statement. In this Landlord Statement, it lists that the Appellant is not making enough to cover their living expenses and that the Appellant relies upon assistance from their children. It does not specify how much is being provided for the Appellant and if these payments are going to the Appellant to pay the bill or if they are going to the bill itself.

A revised version of this document was submitted during the appeals process. This revised version provides more details and includes figures related to what is being paid for the household by those outside the household and for how much. What is still not clear is if these payments go to the Appellant to pay the bill or if they go directly to the provider. This is especially important related to the house as the Appellant's daughter owns that home and has the mortgage on the property.

DISCUSSION

In this case the Appellant gets just over \$1,000 in RSDI. However, the Appellant's rent is over \$1,400. When the Appellant's SNAP case came up for renewal, DHS correctly questioned this. The Appellant has been relying on their children to help cover the gaps in their budget. The monies being provided to the Appellant could be countable for SNAP and therefore DHS needed to verify the income, including the amount. DHS did this by issuing an ADR for rent expense and unearned income.

When DHS issues an ADR, the SNAP household has 15 days to respond to the request. Failure to respond can result in SNAP benefits closing. In this case DHS claims the documents requested in the ADR were never received and therefore DHS properly closed the Appellant's SNAP benefits. The Appellant argues that they submitted the documents by uploading them to their DHS portal account before the due date. However, DHS does not see these documents in the system. Furthermore, the Appellant did not provide any verification of uploading the documents, such as screenshots confirming the upload. While the Appellant may have attempted to upload the documents, there is not enough evidence to find they successfully did upload them considering the documents not appearing in the computer system. In which case the closure for failing to turn in the documents would be correct.

Assuming *arguendo* that the Appellant did upload the documents to the customer portal, the documents would be insufficient to keep the SNAP benefits from closing. The Landlord Statement from that period only lists that the Appellant's daughter helps with the rent. The statement does not specify how much assistance the daughter is providing to the Appellant. Furthermore, where the daughter is also the landlord/mortgage borrower, the question of the daughter giving monies to the Appellant so the Appellant could pay the mortgage versus the daughter accepting a lesser amount in rent and paying the full mortgage amount is not clear. This would have a direct impact on whether these monies are countable or not. Since the Landlord Statement does not clarify this, it would be insufficient for DHS and therefore the Appellant's case would still have closed.

CONCLUSION OF LAW

After careful review of the testimony and evidence present at the administrative hearing, this tribunal concludes:

1. The failure to turn in the ADR resulted in the closure of the Appellant's case
2. The Appellant's case was properly closed for not turning in documents.

3. The documents the Appellant asserts that they provided to DHS on time would still be insufficient to verify the income in this case. As such DHS would be correct in closing the case for the insufficient reply to the ADR.

DECISION

Based on the foregoing findings of fact, conclusions of law, evidence, and testimony it is found that a final order be entered that there is sufficient evidence to support the closure of the Appellant's SNAP benefits by DHS.

APPEAL DENIED

/s/ Shawn J. Masse

Shawn J. Masse

Appeals Officer

NOTICE OF APPELLATE RIGHTS

This decision is a final order under R.I.G.L. § 42-35-12. Under R.I.G.L. § 42-35-15, this Order may be appealed to court within thirty (30) days of the mailing of this decision. Such appeal, if taken, must be completed by filing a complaint in court. The filing of the complaint does not itself stay enforcement of this order. The agency may grant, or the reviewing court may order, a stay upon the appropriate terms.

Appeals are generally filed in the Providence County Superior Court. However, appeals affecting or concerning children under the age of eighteen (18) and/or appeals of a DCYF action may need to be filed in Providence Family Court. If you have any questions about which court a complaint for appeal should be made, you should seek the advice of an attorney, Rhode Island Legal Services, or the clerk of the court where you wish to file your appeal. The courts' contact

information can be found on the judiciary's website (<https://www.courts.ri.gov>). Copies of the appeal must be served upon all parties in your case within ten (10) days of the filing of your appeal.

If you exercise any of these appellate rights, please inform the EOHHS appeals office of this so we can prepare a copy of the record for the court. You can contact the Appeals Office at OHHS.AppealsOffice@ohhs.ri.gov, 401.462.2132 (Phone), 401.462.0458 (Fax), or at 3 West Road, Virks Building, Cranston, RI 02908.

CERTIFICATION

I hereby certify that I mailed, via regular mail, postage prepaid, a true copy of the foregoing to [REDACTED] and to [REDACTED]; copies were sent, via email, to [REDACTED], [REDACTED] at [REDACTED], the DHS Appeals Unit at DHS.Appeals@dhs.ri.gov, the DHS Policy Unit at DHS.PolicyQuestions@dhs.ri.gov, and Kirsten Cornford on this 15th day of

July 2026.

Amara McEntell