



TOWN OF CONWAY

1634 EAST MAIN ST. • CTR. CONWAY, NEW HAMPSHIRE 03813

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WWW.CONWAYNH.ORG

Notice Certification

This is to certify that I/We _____, received copies of the following notifications.

Please initial each line to indicate that you received, understand and have been provided the opportunity to ask questions about the information contained within each document.

Initial

_____ General Assistance What to Bring notice of verification requirements

_____ Notice of Rights

_____ Disqualification for Voluntary Termination of Employment

_____ Certifications and Signatures

_____ General Assistance Officer's Responsibilities

_____ Responsibilities of Each Applicant and Recipient

_____ Title LXII Criminal Code, Chapter 641: Falsification of Official Matters

_____ NH RSA 165:19 Liability of Support

_____ NH RSA 165:28 Liens on Real Property

_____ NH RSA 165:28 Liens on Real Property

_____ Notice of right to fair hearing

Date: _____

Signature: _____

Date: _____

Signature: _____

NOTICE OF RIGHTS OF ANYONE RECEIVING ASSISTANCE FROM THE TOWN OF CONWAY

1. You have a right to make a written application for assistance, even if the welfare officer tells you that you are not eligible.
2. You have the right to receive a prompt written decision telling you whether or not you will receive assistance each time you apply for assistance.
3. You have a right to have in writing the reason why you have been denied assistance or have been given only some of the assistance you requested.
4. You have a right to appeal any decision you do not agree with. You must appeal within five working days after you receive your decision.
5. You have a right to have a hearing to present your case.
6. You have a right to have your assistance continued if you are already receiving assistance when you request a fair hearing.
7. You have a right to review the information in your file before your hearing.
8. You have a right to see the guidelines used by the welfare officer in making decisions on your application.
9. You have a right to be given a written notice of conditions before you are suspended from receiving assistance for failing to obey the guidelines.
10. You have a right to refuse to participate in municipal workfare program or to conduct a job search if you must care for a child under the age of five, if you are disabled or ill, or if you must take care of a member of your family who is disabled or ill.

Disqualification for Voluntary Termination of Employment

Generally, if an individual has received local welfare within the past 365 days and has been given notice that voluntary termination of employment without good cause could result in disqualification, then the individual may be disqualified from receiving local welfare assistance for 90 days from the date of the voluntary quit if he terminates employment of at least 20 hours per week without good cause within 60 days of application for local welfare and is not responsible for minor children in the household and did not have a mental or physical impairment which caused him/her to be unable to work.

FOR EXAMPLE

If you quit a job on January 5 and apply for assistance on January 31, then you can be denied assistance through April 5.

See also: NH RSA 165:1-d

Certifications and Signatures

I understand that if I receive assistance from the municipality I may be required to participate in a welfare work ("workfare") program. **(NH RSA 165:31)**

I understand that I may be required to repay any assistance provided, after deduction of the value of workfare hours I have completed, if I am returned to an income status, which enables me to reimburse without financial hardship. **(NH RSA 165:20-b).**

I understand that if I am assisted the municipality may place a lien against any real property which I own. **(NH RSA 165:28).**

I hereby certify that if I have a lawsuit, worker's compensation claim, or aid from any other social service agency now pending, I have listed these in this application. I further agree to notify the General Assistance Officer immediately upon receipt of any money from or upon the settlement of such claim. I understand that if I am assisted, the municipality may place a lien against any property settlement or civil judgment for personal injuries, which I receive within six years of receiving municipal assistance. **(NH RSA 165-28a)**

I hereby certify that the information I have provided on this application is complete to the best of my knowledge and belief and provides a true summary of my income, assets and needs. I understand I may be required to provide documents and/or other forms of verification to prove the information requested on this application. I hereby certify that all information I will provide in response to questions asked by the General Assistance Officer is true and complete to the best of my knowledge and belief. I understand that if I knowingly give false information or withhold information related to my receipt of assistance, now or in the future, I may be prosecuted for the crime of Unsworn Falsification **(NH RSA 641:3).**

I understand that if I obtain a job after I am assisted by the municipality, and I later quit the job without good cause, I may be ineligible for local assistance from the municipality and any other NH municipality for a period of up to ninety days **(NH RSA 165:1-d).**

I understand that if I am a recipient of Temporary Assistance to Needy Families (TANF) cash benefits and I fail to comply with TANF regulations, leading to a sanction and loss of income, the municipality may, under certain circumstances, disregard this decrease in my income. **(NH RSA 165:1-e).**

General Assistance Officer's Responsibilities at Time of Application

When application is made for General Assistance, the General Assistance Officer should provide the applicant with a Notice of Rights and shall inform the applicant of:

1. The requirement of submitting an application. The welfare official shall provide assistance to the applicant in completing the application, if necessary (e.g. applicant is physically or mentally unable or has a language barrier);
2. Eligibility requirements, including a general description of guideline amounts and eligibility formula;
3. The applicant's right to a fair hearing, and the manner in which a review may be obtained;
4. The applicant's responsibility for reporting all facts necessary to determine eligibility, and for presenting records and documents as requested and as reasonably available to support statements;
5. The joint responsibility of the welfare official and applicant for exploring facts concerning eligibility, needs and resources;
6. The kinds of verifications needed;
7. The fact that an investigation will be conducted in order to verify facts and statements presented by the applicant and that this investigation may take place prior to, during, or subsequent to the applicant's receipt of General Assistance;
8. The applicant's responsibility to notify the welfare official of any change in circumstances that could affect eligibility. Failure by the applicant to notify the General Assistance Officer of any change in circumstances as they happen could affect eligibility.
9. Other forms of assistance for which the applicant may be eligible;
10. The availability of the welfare official to make home visits by mutually-agreed appointment to take applications and to conduct ongoing case management for applicants who cannot leave their homes;
11. The requirement of placing a lien on any real property owned by the recipient, or any civil judgements or property settlements, for any assistance given, except for good cause.
12. The fact that reimbursement from the recipient will be sought if he/she becomes able to repay the amount of assistance given;
13. The applicant's right to review the guidelines.

Responsibility of Each Applicant and Recipient

1. To provide accurate, complete and current information concerning needs and resources, and the whereabouts and circumstances of relatives who may be responsible under **NH RSA 165:19**;
2. To notify the General Assistance Officer of changes in needs, resources, household size, address or any other change that may affect eligibility for continuing assistance as they happen;
3. To apply for and utilize immediately, but no later than 7 days from initial application, any public or private benefits or resources that will reduce or eliminate the need for General Assistance **NH RSA 165:1-b,1(d)**;
4. To keep all appointments as scheduled;
5. To provide a doctor's note and other pertinent information and access to said records and information within timeframe of 7 days or timeframe approved by the General Assistance Officer, when requested;
6. To provide records and other pertinent information and access to said records and information within timeframe of 7 days or time approved by the General Assistance Officer, when requested;
7. Following a determination of eligibility for assistance, to diligently search for employment and provide verification of work search (the number of work search contacts to be determined by the general assistance officer), to accept employment when offered (except for documented reasons of good cause (**NH RSA 165:1-d**)), and to maintain such employment **NH RSA 165:1-b, 1(c)**;
8. Following a determination of eligibility for assistance, to participate in the workfare program if physically and mentally able **NH RSA 165:1-b,(b)**; and
9. To reimburse assistance granted if returned to an income status and if such reimbursement can be made without financial hardship. **NH RSA 165:20-b.**
 - a. An applicant shall be denied assistance if he/she fails to fulfil any of these responsibilities without reasonable justification. A recipient's assistance may be terminated or suspended for failure to fulfill any of these responsibilities without reasonable justification, in accordance with Town of Conway guidelines.
 - b. Any recipient may be denied or terminated from General Assistance, in accordance with Town of Conway guidelines, or may be prosecuted for a criminal offense, if he/she, by means of intentionally false statements or intentional misrepresentation or by impersonation or other willfully fraudulent act or device, obtains or attempts to obtain any assistance to which he/she is not entitled.

TITLE LXII

CRIMINAL CODE

CHAPTER 641

FALSIFICATION IN OFFICIAL MATTERS

Section 641:3

641:3 Unsworn Falsification. –

I. A person is guilty of a misdemeanor if:

- (a) He or she makes a written or electronic false statement which he or she does not believe to be true, on or pursuant to a form bearing a notification authorized by law to the effect that false statements made therein are punishable; or
- (b) With a purpose to deceive a public servant in the performance of his or her official function, he or she:
 - (1) Makes any written or electronic false statement which he or she does not believe to be true; or
 - (2) Knowingly creates a false impression in a written application for any pecuniary or other benefit by omitting information necessary to prevent statements therein from being misleading; or
 - (3) Submits or invites reliance on any writing which he or she knows to be lacking in authenticity; or
 - (4) Submits or invites reliance on any sample, specimen, map, boundary mark, or other object which he or she knows to be false.

II. No person shall be guilty under this section if he or she retracts the falsification before it becomes manifest that the falsification was or would be exposed.

III. A form adopted by a state agency pursuant to RSA 541-A, or in use by a state agency prior to January 1, 2016, containing a notification that false statements made therein are punishable under this section shall be considered authorized by law.

Source. 1971, 518:1. 2003, 158:2, eff. June 17, 2003. 2016, 196:14, eff. Aug. 5, 2016.

TITLE XII PUBLIC SAFETY AND WELFARE

CHAPTER 165 AID TO ASSISTED PERSONS

Liability for Support, and Recovery Over

Section 165:28

165:28 Liens on Real Property. – The amount of money spent by a town or city to support an assisted person under this chapter shall, except for just cause, be made a lien on any real estate owned by the assisted person. The liens are effective until enforced as provided in this chapter, or until released by the selectmen or city council; provided that there shall be no enforcement of the lien so long as the real estate is occupied as the sole residence of the assisted person, his surviving spouse, or his surviving children who are under age 18 or blind or permanently and totally disabled. Interest at the rate of 6 percent per year shall be charged on the amount of money constituting such lien commencing one year after the date of the filing of the lien unless a majority of the selectmen in the town or the councilmen in the city vote to waive such interest. The selectmen or council may file a notice of the lien or an acknowledgment of satisfaction of the lien with the register of deeds of the county in which the assisted person owns real property. A notice of lien which contains the owner's name and a description of the real property sufficient to identify it is a valid lien on the property. The register of deeds shall keep a suitable record of such notices without charging any fee therefor, and he shall enter an acknowledgment of satisfaction of the lien upon written request of the selectmen or the council without fee.

Source. 1965, 42:1. 1975, 303:1. 1985, 380:17. 1988, 180:2, eff. June 25, 1988

TITLE XII PUBLIC SAFETY AND WELFARE

CHAPTER 165 AID TO ASSISTED PERSONS

Liability for Support, and Recovery Over

Section 165:19

165:19 Liability for Support. – The relation of any poor person in the line of father, mother, stepfather, stepmother, son, daughter, husband, or wife shall assist or maintain such person when in need of relief. Said relation shall be deemed able to assist such person if his weekly income is more than sufficient to provide a reasonable subsistence compatible with decency and health. Should a relation refuse to render such aid when requested to do so by a county commissioner, selectman, or overseer of public welfare, such person or persons shall upon complaint of one of these officials be summoned to appear in court. If, after hearing, it is found that the alleged poor person is in need of assistance, and that the relation is able to render such assistance, the court shall enter a decree accordingly and shall fix the amount and character of the assistance which the relation shall furnish. If the relation neglects or refuses to comply with the court order without good cause, as determined by the court at a hearing, or by refusing to work or otherwise voluntarily places himself in a position where he is unable to comply, he shall be deemed to be in contempt of court and shall be imprisoned not more than 90 nor fewer than 60 days. If a poor person has no relation of sufficient ability, the town or city in which he resides shall be liable for his support.

Source. RS 66:8. CS 70:8. GS 74:8. GL 82:8. PS 84:12. 1925, 112:1. PL 106:22. 1933, 65:1. RL 124:18. RSA 165:19. 1973, 115:1. 1985, 380:11, eff. Jan. 1, 1986

Right to Fair Hearing

You have a right to request a fair hearing to review decisions made by this office. The request must be made within five days of receiving this notice. If you have been receiving assistance, you have the right to request that your aid continue until a decision is made at the hearing.

To request a fair hearing, please fill out the section below:

I, _____, request a fair hearing to review the decision concerning my application for general assistance. I (circle one) **do / do not** want my assistance continued until the hearing. I understand that whether I win or lose the hearing, I am obligated to repay the assistance provided during the time of appeal.

Date: _____

Print Name: _____
Applicant/Recipient

Date: _____

Signature: _____

Date: _____

Print Name: _____
Co-applicant/co-recipient

Date: _____

Signature: _____