

# Town or City Welfare in New Hampshire

## What is town/city welfare?

New Hampshire law says that every town and city in the state must have a welfare program to help people who are poor and who need help. Read the law [New Hampshire RSA 165](#).

In addition to town welfare, people and families with low incomes may be able to get help from:

- [Financial Aid to Needy Families \(FANF, formerly called TANF\)](#),
- [Supplementary Security Income \(SSI\)](#) for the elderly, blind or disabled,
- [Food stamps \(EBT\)](#) also known as Supplemental Nutrition Assistance Program (SNAP),
- [Fuel assistance](#), and/or
- [WIC \(Women, Infants & Children\)](#).

See the [NH Department of Health & Human Services](#) to apply for these and other types of benefits.

## What kind of help can a town give?

Towns and cities must give financial help for basic needs like shelter, rent, mortgage payments, heat, lights, gas, water, food, necessary clothing, transportation and prescriptions.

Welfare must also help with "maintenance" items such as paper products, household supplies, diapers, etc.

Welfare may pay for basic telephone service if you need it for health and safety reasons.

Welfare should pay a security deposit if you need it to get housing.

Welfare should pay for medical costs if there is no other way you can get medical services that are absolutely necessary. Welfare should pay for treatments that your doctor says you cannot wait to have.

Welfare should help with mortgage and other payments necessary to stop a foreclosure if you live in your own house and you qualify for help.

The town may decide that a certain expense, such as a car payment, is not necessary. This may happen when a reasonable cheaper choice is available, like taking a bus. Even if the welfare officer disagrees with how you have spent your money, you should get help now with instructions to change your situation. For example, you may be asked to apply for public or subsidized housing if your rent is high.

## Will the town pay my past due bills?

Welfare should pay electric, gas or other fuel bills if these utilities are going to be shut off for nonpayment.

Welfare should also pay for back rent if that will prevent eviction.

Welfare should help with mortgage and other payments necessary to stop a foreclosure if you live in your own house and qualify for help.

## Are funeral benefits covered?

Yes. The law says towns must provide a decent burial or cremation.

## Can a town send me to a shelter?

Maybe. The town must give help to reasonably meet your needs. Whether it is reasonable to send you to a shelter depends on your situation.

## **Can I get welfare?**

### Do I have to live in the town to get help?

It does not matter how long you have lived in a town for you to qualify for help. The town may not tell you to “go back to where you came from.” The town may not tell you to go apply to a different town. It is against the law.

## How do I qualify financially for town or city welfare?

Even if you work, your take-home pay may not be enough to pay for your basic needs. So you may be able to get help from welfare even if you have a job.

To figure if you can get help, the welfare official should add up your family's income. They will also add up your liquid assets. Liquid assets are the value of certain things you own and the money you have in the bank. Food stamps and fuel assistance are not counted as income. Child support is only counted if you are getting it. The welfare official compares the total of your family's income and liquid assets to the "allowed expenses" for a household your size to see if you qualify for help.

The town should help with necessary expenses that your income does not cover. The town may decide that a certain expense, such as a car payment, is not necessary. This may happen when a reasonable cheaper choice is available, like taking a bus.

## Are veterans eligible for town or city welfare?

Yes, and in some cases veterans can get extra help.

## Where do I apply for welfare?

If you need financial help, contact your [town or city hall](#) and ask for the welfare official. If the welfare official is not available, ask for the town or city manager. Or, find your local office by going to the [NH Municipal Association website](#) and choose "Municipal Director" from the Resource menu on the left of the screen.

It is against the law for a town to tell you to "go back to where you came from" or to "go apply to a different town."

Someone should always be available during normal business hours to take your application.

**If there is an emergency, the town should make a decision immediately even if it is outside normal business hours. The town must make a decision before any deadline you have, like a deadline for electricity shut-off or on a demand for rent or eviction notice.**

## How do I apply for welfare?

The town should give you an application to fill out which asks about your income and expenses. You have a right to fill out a written application for help even if the welfare official tells you that you are not eligible.

## What information will I need when I apply?

When you apply, bring a list of all monthly expenses even if the town says it does not pay for certain things. The welfare official will want to see pay stubs, bills, rent slips, shut-off and eviction notices, etc. Take these papers to your interview.

You must give complete and true information on your application.

The town may ask for information about some of your relatives — parents, children, stepchildren or spouse. New Hampshire law allows the town to contact or take legal action against these relatives to make them pay the town back for the amount of help it gives you. The town may only do this if your relative can afford to help give you support.

## How and when will the town decide?

The welfare official must use written rules in making a decision on your application. You have a right to see these rules.

The welfare official adds up your family's income and liquid assets, like the amount of money you have in a bank account. They compare that amount to the “allowed expenses” for a household your size to see if the town can help you.

The town should help with necessary expenses that your income does not cover. The town may decide that a certain expense, such as a car payment, is not necessary. This may happen when a reasonable cheaper choice is available, like taking a bus.

The town should give you a timely appointment and timely decision. This means the decision should come in time to help with a demand for rent, an eviction, the shut off of your electricity, or other deadline you have.

The town should give you a written decision on your application within 3 to 5 days of your application.

**If there is an emergency, the town should make a decision immediately even if it is outside normal business hours. The town must make a decision before any deadline you have, like a deadline for electricity shut-off or on a demand for rent or eviction notice.**

The decision should tell you how much and what kind of help the town will give.

If the town will not help, the written decision should say the reason why.

The decision should tell you why the town will only give some of the help you asked for.

The town must tell you about your right to appeal, which means your right to have the decision reviewed if you are unhappy with it.

## **What happens if I get help?**

### **Can a town put a lien on my property?**

Yes. The law says a town may put a welfare lien on real property you own if you get help from the town. This includes manufactured housing.

The town may not put a lien on personal property unless you got it through a will or the probate process, property settlements, or by a civil judgment. Personal property includes things like clothing, tools, furniture, etc.

The town may not put a welfare lien on real property owned by your relatives.

### **What if I own a house?**

If you live in your own house and qualify for help, welfare should help with mortgage and other payments needed to stop a foreclosure. State law allows the town to put a lien on your house and any land you own for the amount of help it gives you. When you pay the town back, it will remove the lien.

### **Can a town make me “work off” the help I get?**

Yes. The town may ask you to work for the town government to pay back the help you get. If you get help from the town and are physically

able to work, it may require you to take part in the town's work program for you to continue to get help. The town must give you credit for each hour you work at the same rate of pay you would earn if it were a regular job. These credits are how you pay the town back for the money it gives you. It may not require you to work before helping you the first time.

The town may also ask you to look for work each week.

Single parents with children under the age of 5 and people with documented mental or physical disabilities may be excused from having to work off the help they get from the town. If the town says no to your request to be excused, you may appeal—which means you may have the decision reviewed if you are unhappy with it.

## Can the town make me repay it for the help I got?

Yes. The town may ask you to repay it for the help it gave you **but only if and when** you are earning enough money to pay the town back without causing you financial hardship. You may reapply for assistance anytime you need help. The town may not refuse to help you just because you have not paid it back for the help you got in the past.

## Can my parents/family be forced to help me instead of the town?

Generally, yes. The law requires certain relatives such as your father, mother, stepparent, son/daughter, or spouse to help you when the town asks them to, but only if the relative has enough money. Your relative must have enough money to help you and still pay their own bills so they can live at a "standard of decency and health." A town may take your relative to court if your relative has enough money but refuses to help you. The town should not hold off giving you help while it fights with your relative.

New Hampshire law allows the town to contact or take legal action against these relatives to pay the town back for the amount of help it gave you, but only if the relative can afford to help you. The town may not refuse to help you just because your relatives do not give the town information or support.

## **Can the town or city refuse to help me?**

### Can my town refuse to help me because they helped me before?

The town may only refuse to help you if they helped you in the past and you broke the rules. The town must have given you the rules in writing. For example, you did not look for a job and job-search was one of the rules. If you broke one of the written rules and were properly warned, the town may be able to refuse to help you. You should be allowed to apply and get a Notice of Decision.

The town may not refuse to help you now because of:

- the number of times you applied, or
- the number of times they helped you, or
- the amount they gave you.

The town may not refuse to help you just because your relatives do not give the town information or support.

### Can the town tell me it cannot help me because it does not have enough money in the budget?

No. New Hampshire law requires towns to help you whenever you need it as long as you qualify for help. It is against the law for a town to refuse to help you because it does not have enough money in the budget. Towns can be creative in the way they help you. They do not always have to give you cash.

### Can a town limit or “cap” the amount of help it will give me?

No. The town may not “cap” or limit the amount of help it will give you. The amount of help a town gives is different for each person. But it must always be enough to meet basic needs.

## **When can the town refuse to help me?**

### **There are four situations in which the town may refuse to help:**

1. You have enough money --available income and assets—to pay for your basic living needs.
2. You do not do what the written town welfare guidelines tell you to:
  - you did not tell all your income and assets,
  - you did not take part in town work programs,
  - you did not make a reasonable search for work, or
  - you did not apply for aid that may be available at other public agencies.
3. If you are on TANF and the state lowers your state benefits because you failed to do employment work requirements, the town may reduce or deny your welfare benefits. It can do this by still counting the money the state took away. This penalty only applies while your state benefits are lowered. If there is an immediate threat to the health and safety of children in your household, the town must ignore the penalty and help you.
4. Within the 60-day period before filing an application for assistance, you quit a job without a good reason. This covers the 90 days from the date your job ended.

### **Even if you did quit a job within 60 days of applying for assistance, you should not be refused help if:**

- there are children in your household who you are legally responsible to support,
- you have not gotten help from the town in the last year,
- you got help within the last year but the town did not tell you that quitting your job could mean you are not able to get benefits,
- you had a mental or physical problem that kept you from working,
- the job that you quit was less than 20 hours per week,
- you have since started another job that is at least 20 hours per week, or
- you had a good reason for quitting like discrimination, unreasonable work demands or conditions, retirement, employment that became unsuitable, circumstances that you could not control -- like a lack of transportation or a household emergency-- and other good reasons.

### **You can't be denied just because:**



- you have lived in town only a short time,
- you got help in the past,
- you have not repaid help you got in the past,
- the town says it does not have enough money in the budget, or
- you get other state or federal financial assistance.

**This list does not include all of the reasons why a town should not turn down your request for help.**

If you think the town or city said no to you for the wrong reason, **call 603 Legal Aid at 603-224-3333, or apply online**. If you call when phone lines are closed, leave a message that you are calling about town welfare and state any deadlines you have.

## **What if the town refuses to help me or stops helping me?**

If the town says you are not following its welfare guidelines, town officials must give you a warning notice that says exactly what you need to do to fix the problem. If you do everything on this list within 7 days, the town should continue to help you. If you and the town cannot agree about whether you have done everything on this list, you may appeal—which means you may have the decision reviewed. If you do not appeal and your aid is cut, you may have to fix the problem before you can reapply and get help again.

The town should give you written reasons for refusing to help you. The town should give you written reasons for giving you only some of the help you asked for. The town must tell you about your right to appeal.

If your application is denied or you are notified that your assistance is being cut off or reduced, you have a right to appeal. If you disagree with any action of the welfare official in your case, you may ask for a hearing.

You should ask for a hearing within the time set by the town — usually 5 days from the city or town's notice or action, or lack of action. If you are already getting help, you have a right to keep getting that help until a decision has been made on your appeal. You must state on your appeal that you want your assistance to continue.

The town must schedule a hearing promptly with a hearing officer who does not already know about your case. You have a right to review the town welfare guidelines. You have a right to review your welfare file

before the hearing. You have the right to have a representative with you at the hearing. You may take a friend or social worker or someone like that with you as a representative if you choose.

A written decision will usually be sent to you within 7 days after the hearing.

Some towns or cities do not always follow the rules about welfare. If the town did not let you apply, if you feel you were not treated fairly, or if you have any questions, **call 603 Legal Aid at 603-224-3333 or apply for help online**. Call any time 24/7 and leave a message in our Local Welfare voice mail box -- be sure to say you are calling about Local Welfare and state any deadlines you have.

## Try Also Reading...

- [Are You Getting All the Help You Can?](#)
- [Legal Rights of Benefits Applicants and Recipients](#)
- [Unemployment Insurance](#)
- [Social Security Benefits & SSI](#)
- [Veterans Benefits](#)

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