

**9055.0455 STATE SOLDIERS ASSISTANCE PROGRAM VETERAN'S RELIEF GRANT PROGRAM ACTIVITY.**

**Subpart 1. Program purpose.**

A. Upon application approval, the commissioner must provide financial assistance as provided under this part to a veteran, a veteran's dependents, and a member of the armed forces called from reserve status to extended federal active duty per Minnesota Statutes, section 196.05, subdivision 1, clause (9), and the member's dependents who are experiencing financial difficulty.

B. An applicant for a veteran's relief grant must meet the requirements of this part and be:

(1) a veteran;

(2) a surviving spouse of a veteran; or

(3) a member of the armed forces called from reserve status to extended federal active duty per Minnesota Statutes, section 196.05, subdivision 1, clause (9).

C. This part applies only to the veteran's relief grant program activity.

**Subp. 2. Frequency of veteran's relief grant.**

A. The veteran's relief grant is administered as a once-per-lifetime benefit.

B. An applicant whose veteran's relief grant is approved or partially approved and payment has been made for any item or expense is no longer eligible for a veteran's relief grant.

C. A veteran is authorized one veteran's relief grant.

D. A surviving spouse of a veteran is authorized one veteran's relief grant if the veteran did not receive a veteran's relief grant while living.

E. A member of the armed forces called from reserve status to extended federal active duty is authorized one veteran's relief grant while on active duty but is not eligible for a second veteran's relief grant once:

(1) released from active duty;

(2) separated from the armed forces; or

(3) discharged from the armed forces.

F. A veteran married to another veteran is eligible for one veteran's relief grant. A veteran married to another veteran is not eligible for a second veteran's relief grant as the surviving spouse of a veteran.

**Subp. 3. Benefits provided.** Benefits provided through a veteran's relief grant are limited to financial assistance for:

A. items and expenses to include work and services provided by vendors and contractors that are directly related to meeting an applicant's basic needs or preventing the loss of a basic need; and

B. items and expenses that further an applicant's financial self-sufficiency and ability to meet the applicant's basic needs.

**Subp. 4. Verification of need for assistance.**

A. An applicant must submit a written statement and supporting documentation to the commissioner that explains the circumstances of the applicant's situation and need for assistance and includes a plan for attaining financial self-sufficiency.

B. The commissioner must calculate an applicant's monthly household income and household assets to determine the applicant's need for assistance.

C. The commissioner must confirm the requested assistance is to:

(1) pay for items or expenses authorized in this part and are essential to meeting the applicant's basic needs;

(2) prevent the loss of a basic need; or

(3) further the applicant's self-sufficiency and ability to meet the applicant's basic needs.

D. The commissioner must confirm the applicant has a legal obligation to pay for the items and expenses for which assistance is requested.

**Subp. 5. Financial self-sufficiency.**

A. An applicant must be financially self-sufficient or on a path to financial self-sufficiency if the needed assistance is provided to be approved for a veteran's relief grant.

B. An applicant who does not meet the requirements of item A is eligible for a veteran's relief grant if one of the following conditions is met:

(1) the need for assistance is immediate and the requested assistance is necessary to house the applicant or to prevent the applicant from becoming homeless; or

(2) the circumstances create an emergency as defined by Minnesota Statutes, section 16C.02, subdivision 6b, that poses a direct threat to the health or safety of the applicant.

C. The commissioner must calculate an applicant's current monthly household income and current household assets to determine if the applicant will be financially self-sufficient or on a path to financial self-sufficiency beyond the needed assistance.

D. The commissioner must consider only the monthly household income and household assets of an applicant and members of the applicant's household when determining financial self-sufficiency.

E. The commissioner must only consider the portion of an item or expense that an applicant or the applicant's spouse is responsible for paying if the applicant or the applicant's spouse shares responsibility for the item or expense with a person who is not authorized to receive a veteran's relief grant.

F. An applicant who is not financially self-sufficient must attend financial counseling for the purpose of attaining financial self-sufficiency and eligibility for a veteran's relief grant.

G. An applicant must apply for any long-term maintenance benefit the applicant or a member of the applicant's household meets the requirements for and apply for assistance from other entities and submit proof of application to the commissioner.

H. The commissioner must consider the following factors when determining if an applicant is financially self-sufficient or on a path to financial self-sufficiency beyond the needed assistance:

(1) the applicant's monthly household income compared to the cost of the household's basic needs;

(2) the current employment status of the applicant and members of the applicant's household; and

(3) the current status of long-term maintenance benefits and assistance from other entities the applicant and members of the applicant's household have applied for.

Subp. 6. **Maximum grant amounts.** The commissioner must determine an applicant's maximum grant amount based on the following:

A. the circumstances of the applicant's situation and need for financial assistance and the amount of assistance required to meet the applicant's basic needs;

B. if the applicant is financially self-sufficient or will be on a path to financial self-sufficiency if the needed assistance is provided; and

C. if the needed amount of assistance is within the budgetary constraints of state soldiers assistance funding.

Subp. 7. **Full approval, partial approval, and denial of a veteran's relief grant.**

A. For purposes of this part:

(1) "full approval" of an applicant's veteran's relief grant means that the benefit amount approved by the commissioner for each item and expense in the grant request is the full amount that was requested by the applicant for each item and expense;

(2) "partial approval" of an applicant's veteran's relief grant means:

(a) not all items and expenses in the grant request were approved; or

(b) the full benefit amount that was requested for an item or expense was not approved; and

(3) "denial" of an applicant's veteran's relief grant request means that no item or expense in the grant request was approved for any amount.

B. An applicant may decline a veteran's relief grant that is fully approved or partially approved and retain the right to apply for a veteran's relief grant in the future if the commissioner does not make a payment for any item or expense in the current veteran's relief grant request.

**Subp. 8. Veteran's relief grant approval letter.**

A. The commissioner must issue a veteran's relief grant approval letter to an applicant whose veteran's relief grant request is approved or partially approved.

B. The veteran's relief grant approval letter must explain:

- (1) the total amount of assistance requested;
- (2) the amount requested for each item or expense;
- (3) the total amount of assistance approved by the commissioner;
- (4) the amount approved by the commissioner for each item or expense; and
- (5) an explanation of the commissioner's decision.

**Subp. 9. Veteran's relief grant denial letter.**

A. The commissioner must issue a veteran's relief grant denial letter to an applicant whose veteran's relief grant request is denied or partially approved.

B. The veteran's relief grant denial letter must state each item or expense that is denied or partially approved and explain the reasons for denial or partial approval and the applicant's right to appeal under part 9055.0290, subpart 8.

**Subp. 10. Addenda.**

A. A recipient may submit an addendum for additional assistance only for an item or expense that was approved or partially approved in the recipient's original veteran's relief grant request.

B. A recipient must submit an addendum through a county veterans service officer, department field operations claims representative, or department Tribal veterans service officer.

C. A recipient must submit an addendum for an item or expense to the commissioner as soon as the need for additional assistance is evident.

D. A recipient must submit a written statement to the commissioner explaining the need for additional assistance and include an updated estimate or bill from the vendor or contractor performing work or providing a service and an explanation of the circumstances preventing the recipient from paying the additional amount.

E. A recipient must submit the addendum to the commissioner before receiving additional services or the completion of any additional work that incurs charges above the initial amount approved.

**Subp. 11. Items and expenses covered under a veteran's relief grant.**

- A. The following items and expenses are eligible for financial assistance under this part:
- (1) appliance purchase, repair, or replacement at the recipient's primary residence;
  - (2) vehicle repairs, payments, and insurance premiums for the recipient's primary vehicle;
  - (3) books required for college courses for the recipient or another household member;
  - (4) tools required to perform the recipient's employment or employment training;
  - (5) hearing aids for the recipient or another household member;
  - (6) medical claims, health insurance premiums, and COBRA payments for the recipient or another household member;
  - (7) daycare expenses;
  - (8) dental claims for, or treatment of, life-threatening dental conditions for the recipient or another household member;
  - (9) home repairs, modifications, and wheelchair ramps required to restore or maintain habitability or accessibility at the recipient's primary residence;
  - (10) a security or damage deposit for a recipient to attain permanent housing;
  - (11) base rent payments for a recipient's primary residence to include garage rental;
  - (12) the portion of a recipient's base rate at an assisted living facility, as defined by Minnesota Statutes, section 144G.08, subdivision 7, that constitutes rent;
  - (13) lot rent payments for a mobile or manufactured home that is the recipient's primary residence;
  - (14) primary mortgage payments, limited to principle, interest, and escrow payments for the recipient's primary residence;
  - (15) home equity loan payments if the loan was taken to buy, build, restore, or maintain the habitability or accessibility of the recipient's primary residence;
  - (16) contract for deed payments for the recipient's primary residence;
  - (17) monthly townhome and condominium association dues for the recipient's primary residence;
  - (18) homeowner's insurance premiums for the recipient's primary residence;

- (19) renter's insurance premiums for the recipient's primary residence;
- (20) property taxes and assessments for the recipient's primary residence;
- (21) expenses associated with the recipient moving to or within the state for health or financial reasons;
- (22) a recipient's storage unit rental in the state that is necessary to facilitate the person's move to or within the state;
- (23) utilities at the recipient's primary residence, including gas and electric charges, bulk fuel charges, water and sewer charges, sanitation charges, and telephone and Internet charges;
- (24) HVAC repairs and replacement required to maintain habitability of the recipient's primary residence; and
- (25) water heaters, wells, and septic systems required to maintain habitability of the recipient's primary residence.

B. An applicant may request assistance for an item or expense not covered in this subpart and the commissioner must approve, partially approve, or deny the request. The commissioner must not provide an exception for prohibited items or expenses in subpart 12.

C. Assistance is prohibited for work or services that have already been completed or provided by a vendor or contractor or for items the applicant has already purchased and paid for or incurred an obligation to pay for unless the circumstances of the situation posed a direct threat to the applicant's health, safety, and financial stability.

D. Work or services to be provided under a veteran's relief grant must be completed within 90 days of the date the grant is approved. The recipient and the vendor or contractor must submit a written statement to the commissioner explaining the reasons for any delay in completing the work or providing the services and the newly projected completion date.

**Subp. 12. Items and expenses not covered under a veteran's relief grant.** Financial assistance is prohibited under this part for the following items or expenses:

- A. airfare;
- B. dental claims for treatment not related to a life-threatening condition;
- C. funerals;
- D. nursing home costs;
- E. assisted living services, as defined by Minnesota Statutes, section 144G.08, subdivision 9, provided in an assisted living contract that are over and above the base rent for the primary residence;
- F. personal loans, credit cards, and all lines of credit;

G. unsecured loans and home equity loans that were not taken to buy, build, restore, or maintain the habitability or accessibility of the recipient's primary residence;

H. home equity lines of credit, regardless of the reason for the line of credit;

I. student loans;

J. state and federal income taxes;

K. child support payments;

L. entertainment subscriptions that are part of a recipient's cable or satellite services; and

M. any fine, legal fee, or reinstatement fee.

**Subp. 13. Items and expenses related to real or personal property.**

A. Assistance with an item or expense stemming from owning or leasing personal property is authorized under this part under the following conditions:

(1) the recipient or recipient's spouse is an owner or lessee of the property; and

(2) the recipient or recipient's spouse has a legal obligation to pay for the property or pay for the item or the expense resulting from owning or leasing the property.

B. Assistance with an item or expense stemming from owning or leasing real property is authorized under the following conditions:

(1) the recipient or recipient's spouse is an owner or lessee of the property;

(2) the property is the primary residence of the recipient;

(3) the property is homesteaded if owned by the recipient or recipient's spouse; and

(4) the recipient or recipient's spouse has a legal obligation to pay for owning or leasing the property or pay for the item or the expense stemming from owning or leasing the property.

C. The commissioner must accept any of the following documents to confirm a recipient or recipient's spouse is an owner or a lessee of real or personal property:

(1) a certificate of title;

(2) a deed;

(3) a current mortgage statement or billing statement;

(4) the current year's property tax statement;

(5) a contract for deed; or

(6) a standard lease agreement.

**Subp. 14. Prorating veteran's relief grant benefits.**

A. The commissioner must prorate a grant amount for a shared item or shared expense in accordance with part 9055.0280, subparts 4 and 5, if a recipient or recipient's spouse shares joint liability for the item or expense with a person who is not eligible to receive a veteran's relief grant.

B. A grant amount for a shared item or shared expense that is the direct result of owning or leasing real or personal property must be prorated if:

(1) the recipient or recipient's spouse owns or leases the property with a person age 18 or older who is not eligible for a veteran's relief grant; and

(2) joint liability for the property, item, or expense is shared with the person.

C. The commissioner must not prorate grant amounts if the person not eligible for a veteran's relief grant relinquishes ownership or ceases to lease the property or is no longer liable for the property or the shared item or shared expense.

**Subp. 15. Assistance with shelter costs.**

A. An applicant must have a current legal obligation to pay shelter costs and provide documentation verifying that the applicant paid shelter costs in the 12 months before the date of application for the veteran's relief grant to be eligible for assistance with shelter costs under the veteran's relief grant program activity.

B. An applicant who does not meet the requirements of item A may incur shelter costs and is eligible to receive assistance if necessary to attain permanent housing and the commissioner confirms the applicant is homeless or on the homeless veteran registry.

C. An applicant who is currently leasing the primary residence but does not have a current lease agreement must execute a written standard residential lease agreement that states the applicant's actual shelter costs used to establish the applicant's amount of shelter assistance. The commissioner must accept the executed lease agreement signed by the applicant and property owner or manager if the applicant provides proof to the commissioner of paying the actual shelter costs stated on the executed lease agreement in the 12 months before the date of application for the veteran's relief grant.

D. An applicant must provide proof to the commissioner of paying the actual shelter costs stated on the executed lease agreement with any of the following documents:

(1) a statement from the property owner or manager;

(2) past rent receipts;

(3) cleared checks; or

(4) other documentation that provides proof that the applicant is paying the actual shelter costs.

E. Assistance with past due shelter costs incurred at a previous residence is authorized if paying the past due costs is a prerequisite for the applicant attaining permanent housing.

F. The commissioner must limit assistance with the shelter costs of an applicant residing under the terms of a nontraditional housing agreement to the shelter benefit amounts provided in the schedule of maximum monthly allowances for the subsistence program activity.

**Subp. 16. Veteran's relief grant shelter authorization form.**

A. The commissioner must issue a veteran's relief grant shelter authorization form to a recipient who is approved for shelter assistance and who pays rent for a primary residence.

B. The shelter authorization form is the only billing document accepted for payment of the recipient's shelter cost.

C. The shelter authorization form must explain:

- (1) the instructions for completing the form;
- (2) the amount of shelter assistance approved;
- (3) the period covered by the assistance; and
- (4) the name and address of the property owner or manager.

**Subp. 17. Vendor and contractor participation.** A vendor or contractor participating in the veteran's relief grant program must:

- A. comply with this part;
- B. have the appropriate licensure to perform the work or provide the services contracted for;
- C. bill only for the work completed or services provided; and
- D. report any conflicts of interest that arise out of performing work for or providing services to the recipient of a veteran's relief grant.

**Subp. 18. Estimates and proposals for covered items or expenses.**

A. An applicant applying for assistance with an item or expense that requires work or services provided by a vendor or a contractor must submit to the commissioner a minimum of two estimates or proposals from vendors or contractors who are willing to perform the work or provide the services.

B. An estimate or proposal must be submitted to the commissioner in writing and confirm:

- (1) the bidding contractor's or vendor's name, address, payment address if different, and phone number;
- (2) the vendor or contractor is authorized to do business in Minnesota;

(3) the vendor or contractor has liability insurance if bidding to perform work on the applicant's primary residence or property vital to the structural integrity of the primary residence;

(4) the applicant is the intended recipient of the work performed or services provided and will be the party responsible for payment;

(5) the terms and conditions of payment;

(6) the address where work or services will be performed; and

(7) include an itemized breakdown of all work performed and services provided, material and labor costs, additional charges, and taxes.

C. An applicant must obtain a minimum of two estimates or proposals for needed work or services unless there are no other contractors or vendors in the applicant's location to perform the work or provide the services, or the circumstances of the applicant's situation warrant expedited completion of the work or provision of services.

D. The commissioner must not approve an estimate or proposal requiring a down payment to a vendor or contractor before work starts or services are provided. Direct payment from the commissioner to a wholesaler or retailer for materials and supplies is authorized if payment is required to start work.

**Subp. 19. Changing vendors or contractors.**

A. A recipient may request to change a vendor or contractor if there is a conflict with the original vendor or contractor or other circumstances prevent the original vendor or contractor from completing or providing the proposed work or services.

B. The recipient must submit the request to change a vendor or contractor to the commissioner through a county veterans service officer, department field operations claims representative, or department Tribal veterans service officer.

C. The recipient must submit a written statement to the commissioner explaining the reasons for changing a vendor or contractor and include a new estimate or proposal from a new vendor or contractor for the work to be completed or the services to be provided.

D. Payment under this part for work or services performed by the new contractor or vendor before commissioner approval is prohibited.

**Subp. 20. Dispute between vendor or contractor and recipient.**

A. The commissioner is not a party to a dispute between a vendor or contractor and a recipient of a veteran's relief grant over the quality of work performed or services provided.

B. The commissioner must withhold payment to a vendor or contractor until the work is completed or services are provided if a recipient informs the commissioner that a vendor or contractor is seeking payment but has failed to perform or provide any of the approved work or services.

**Subp. 21. Veteran's relief grant payments.**

A. The commissioner must not provide payments for items or expenses another entity has provided assistance for.

B. A recipient must submit proof to the commissioner of the cost of items and expenses for approval and payment by the commissioner.

C. The commissioner must make payments for items and expenses directly to the entity to which payment is due.

D. Receipts, invoices, and billing statements submitted to the commissioner by a recipient must confirm:

- (1) the name, location, and payment address of the entity to which payment is due; and
- (2) proof the recipient or recipient's spouse is responsible for paying for the items or expenses.

**Subp. 22. Veteran's relief grant payments to vendors and contractors.**

A. A vendor or contractor who has performed work or provided services to a recipient must submit documentation to the commissioner for payment.

B. The commissioner must make payments for work performed or services provided directly to a vendor or contractor.

C. Documents submitted to the commissioner by a vendor or contractor requesting payment for work performed or services provided to a recipient must include and confirm:

- (1) a copy of the veteran's relief grant authorization letter;
- (2) the contractor's or vendor's name, address, payment address if different, and phone number;
- (3) the recipient is the party responsible for payment for the work, services, or items provided;
- (4) an itemized breakdown of the costs and expenses of the work performed or services provided; and
- (5) the address where the work was performed or the services were provided.

**Statutory Authority:** *MS s 14.06; 196.04; 196.05; 197.03; 197.05; 197.06; 197.75*

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