

3. did something on purpose that violated the law about food stamps or cash assistance benefits so that you could get, use or give someone food stamps or cash assistance benefits that you are not eligible for; or
4. sold EBT cards or food stamps.

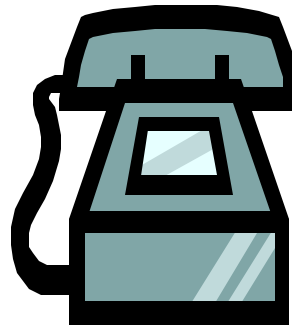
Collecting Overpayments

If you are not receiving food stamps or cash, any payments to the welfare office are voluntary. You will be asked to sign a repayment agreement.

For food stamp overpayments, the welfare office may take part of your tax refund. If you make voluntary payments, your tax refund cannot be touched.

The welfare office may file a garnishment (to have your employer take money out of your paycheck) or attach your property as well to collect the money you own..

OSLSA Legal Aid Referral



If you need legal assistance and cannot afford a lawyer, you may be eligible for free legal services from the legal aid office serving your county. To get the number of your local legal aid office, call:

1-800-589-5888

This pamphlet was developed with assistance from Legal Aid Society of Dayton

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Benefit Overpayments: What you should know



Ohio State Legal Services Association

555 Buttles Avenue
Columbus, OH 43215
1-800-589-5888



What is an Overpayment?

An overpayment is when a family receives more benefits than they are eligible for. An overpayment usually occurs in two circumstances. The first is when a change in the household's income or situation has happened and the family does not tell their caseworker about it within ten days of the change. If the family intentionally does not tell their caseworker, then they have committed fraud, or an *intentional program violation (IPV)*.

An overpayment may also occur if the family has told their caseworker about a change in the household, but the caseworker does not lower the family's benefits as a result.

What benefits are affected?

Cash assistance: Ohio Works First (OWF, used to be TANF or ADC) and Disability Assistance (DA)
Food Stamps



What you can do

If you received an overpayment of benefits, you will have to pay it back, even if your caseworker made a mistake. If you disagree with the county department of human services' determination that you received an overpayment, you can request a state hearing.

Intentional Program Violations (IPVs)



You have committed an intentional program violation when you intentionally withhold information so you get more benefits than you are entitled to. If the county department of human services determines that you committed an IPV, you will be disqualified from receiving benefits. If you disagree with the county's determination that you committed

an IPV, you can request a hearing within 90 days of receiving the notice. Even if you do not request a hearing, the county will schedule one if you do not sign an agreement that you committed fraud and are disqualified. You will not continue to receive benefits even if you ask for a hearing.

You may have a representative at the hearing with you. If you need assistance, call your local legal aid office to see if you are eligible for legal representation. To prove that you committed an IPV, the county department of human services must prove that you:

1. told the county department of human services a lie or something that would mislead them on purpose; or
2. intentionally did not tell the county department of human services about facts that had to do with getting food stamps or cash assistance benefits; or