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# FOOD AND NUTRITION SERVICES CERTIFICATION

## ELIGIBILITY REQUIREMENTS

### FNS 215 RESIDENCE

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**FNS 215 Residence**  
**Change #6-2021**  
**July 12, 2021**

#### **215.01 RESIDENCE REQUIREMENT**

A Food and Nutrition Services (FNS) household must live in North Carolina to file an application and participate in the FNS program in North Carolina. The following conditions apply to residence requirements:

- A. There is no durational residency requirement to be considered a resident of North Carolina.
- B. No individual may participate as a member of more than one FNS household or in more than one state, in any month or any part of a month, unless an individual is a resident of a shelter for battered women and children and meets the requirements found in FNS 212.03 C. Household Composition Special Arrangements.
- C. Otherwise eligible households are not required to reside in a permanent dwelling or have a fixed mailing address as a condition of eligibility.
- D. There is no requirement to show intent to reside permanently in the State.
- E. Persons in North Carolina solely for vacation purposes shall not be considered residents.
- F. While legal custody can be considered a lead to determining residence for children, it in itself does not verify residence. FNS residence is based on the actual physical location of each individual.

**Example:** A grandmother has legal custody of the children in Anytown, NC, but the children actually live with their mother in Other Town, NC. The children's residence is the location that they physically live, which would be Other Town, NC.

#### **215.02 FILING AN FNS APPLICATION**

- A. In-Person:
  - 1. The Food and Nutrition Services (FNS) unit must live in the county in which it makes an in-person application for FNS benefits.
  - 2. If the worker determines that the applicant resides outside their county prior to starting the application process in North Carolina Families Accessing Services through Technology (NC FAST) they may refer the applicant to the county Department of Social Services (DSS) in the

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applicant's county of residence and provide information on mailing, faxing, and filing an online application to the applicant.

3. If the worker determines that the applicant resides outside their county after starting the application process in NC FAST, the application must be taken, processed, and transferred to the household's county of residence upon disposition.

**B. Mail, Fax, Email, Dropped Off:**

1. Applications submitted by mail, fax, email, or dropped off in a county in which the household does not reside must be faxed to the county of residence within **one** business day.
2. The receiving county must process the application and transfer upon disposition if they fail to fax the application within one business day to the actual county of residence.
3. The application date is the date received by first county.

**C. Online Applications:**

Applications filed online through the state website ePASS.nc.gov must be processed by the county that receives the application, regardless of the county of residence. The receiving county must transfer the application to the county of residence after disposition.

**215.03 RESIDENCY VERIFICATION**

**A. Non-Categorical Eligible FNS Units:**

1. Verify residency at initial application and reported change of residence.
2. Verify residency in conjunction with the verification of other information such as, but not limited to, all shelter expenses (mortgage payments, utility bills, etc.), household size/composition (if questionable), and identity.
3. If residency cannot be verified in conjunction with other verifications, use a collateral contact or other documentary evidence.
  - a. Accept any document that reasonably establishes the applicant's residency.
  - b. Do not request or require any specific type of document.

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**NOTE:** Verification of residency may not be reasonably accomplished for some households such as homeless, migrant farmworkers, or households newly arrived in a project area. Verification must be pursued unless the household indicates that verification cannot be obtained. If it is determined that verification cannot be obtained, accept the client's statement for residency and document why the verification was not obtainable.

B. Categorical Eligible FNS Units:

**Do not** require verification of residence for FNS households that are categorically eligible. Accept the household's statement.

**215.04 DOCUMENTATION**

Document the verification source in NC FAST using the appropriate notes and evidences. Scan any supporting documents in NC FAST using the appropriate taxonomy as outlined in NC FAST help.

**215.05 MOVE BY THE FNS UNIT WITHIN THE STATE**

When a household with a pending FNS or SNAP application or active FNS or SNAP case reports it has moved to another county, document the new address, phone number and county of residence. Prior to transferring the case, update the address in NC FAST and address applicable changes in the household's situation. **Do not transfer a case until all applicable changes have been completed.**

A. County Transfer Policy Rules for all active FNS and SNAP Cases.

1. Do not transfer:
  - a. An application to another county. Once the application is approved, transfer the ongoing case.
  - b. A pending recertification. Once the recertification is approved, transfer the ongoing case.
  - c. A case with any other pending action. Once the pending action is completed, transfer the ongoing case.

Note: If the FNS unit reports a non-required change but fails to provide verification of the changed information. The case may be transferred after all time standards for requesting information have expired.

2. Transfer of cases in the last two months of the certification period or in the suspense month:

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- a. The FNS household has not visited or submitted an application to the new county of residence:
  - i. **Do not refer the client or the application/recertification to the new county of residence.**
  - ii. The county in which the client is active is responsible for completing the recertification.
  - iii. Complete the transfer after the recertification is disposed.
- b. The FNS household has submitted an application or visited the new county of residence in-person:
  - i. **Do not refer the client back to the active county.**
  - ii. The new county is responsible for the recertification.
  - iii. A supervisor in the new county must contact the county in which the household is active within 3 days of receipt of the application/recertification or office visit.
  - iv. The county in which the client is active is responsible for changing the address and the owner of the income support and product delivery case.

**NOTE:** If an action is pending in the active county and the new county receives a DSS-2435, the form should be forwarded to the active county.

**215.06**

**MOVE BY THE FNS UNIT OUT OF THE STATE**

When an FNS unit moves out of the state, take the following steps.

- A. Terminate the FNS unit without Notice of Adverse Action.
- B. Provide the FNS unit with a DSS-8632 Confirmation of Voluntary Reduction or Termination of Benefits, which indicates the date benefits were last received in North Carolina.
- C. Advise the FNS unit to contact the appropriate FNS Office in the new state.
- D. The FNS unit may use their EBT card in the other state if the new state's EBT System can accept a North Carolina EBT card.

**NOTE:** Returned mail with an out of state forwarding address by itself would not be considered reliable information to act upon.