

# City of Santa Fe, New Mexico

# memo

Date : January 18, 2006  
To : Mike P. Lujan, City Manager  
From : Dave Schmiedicke, Utility Billing Division Director *DS*  
Subject: Low Income Credit Policy

## Issue

I am enclosing the newly developed Low Income Credit Policy for your review and approval. Chapter 15-1.3 - Poverty Exemption allows utility customers that have incomes less than 120% of the Federal Poverty Level to qualify for exemptions from certain water, refuse, sewer and storm water charges. This policy defines in clear terms:

- Who may qualify,
- What the terms of qualification are,
- When applications will be accepted and processed, and,
- Staff procedures for processing the applications.

We normally begin accepting and processing applications during the months of January and February for customers receiving a low income credit for the previous calendar year. I am changing the dates for this annual process to an April/May time frame as we will be requiring customers to provide Federal and/or State tax forms as one element for verification of their income. For customers currently receiving the credit, I will be extending approval of their credit to April 30, 2006.

## Action

Please approve the attached policy. If you have any questions, please let me know.



# City of Santa Fe

## Low Income Credit Application

801 West San Mateo Rd. Santa Fe, NM 87505-3923  
(505) 955-4333 (Customer Service) Fax (505) 955-4363



Please read the reverse side of this form before filling out this application. Please print. Illegible applications will be returned. If you need assistance in filling out this form, please contact Customer Service at 955-4333. *The applicant must reside at the service address. By applying for a Low Income Credit I am certifying that I reside at the service address listed below.*

Applicant Name: \_\_\_\_\_ Service Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Please list all members of the household, including the applicant (use additional paper if necessary):

Name	Age	Total Annual Income (All Sources)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Total Annual Household Income \_\_\_\_\_

Please list the total annual income from all sources for all household members:

Source	Amount	Source	Amount
Wages	_____	Alimony	_____
Social Security	_____	Child Support	_____
Rent/Royalties	_____	Retirement	_____
Interest/Dividends	_____	Veterans Benefits	_____
Food Stamps	_____	Welfare Payments	_____
Gambling	_____	Disability	_____
Unemployment	_____	Other	_____
Housing/Sec. 8	_____		

Total Annual Income: \_\_\_\_\_

I, \_\_\_\_\_, swear or affirm under penalties provided by law that I have read and understand the terms of this application as presented on the reverse of this form and that the information presented by me on this application is complete, true and correct. I further agree to any reasonable investigation and substantiation of the information that I have presented on this application.

Applicant's Signature

Date

City Use Only Approved for Credit: Refuse \_\_\_\_\_ Sewer \_\_\_\_\_ Water \_\_\_\_\_ Storm Water \_\_\_\_\_

Account Number: \_\_\_\_\_ Credit Amount: \_\_\_\_\_ Received By: \_\_\_\_\_ Date: \_\_\_\_\_

Processed By: \_\_\_\_\_ Effective From: \_\_\_\_\_ Through: \_\_\_\_\_

Supervisor Review and Approval: \_\_\_\_\_ Date: \_\_\_\_\_

### *Low Income Credit Application Guidelines*

Chapter 15-1.3 - The Poverty Exemption allows that qualified customers be granted exemptions from the following monthly residential utility charges if their total gross annual household's income falls below the City's Low Income Limits: Sewer assessment & charges, refuse assessment & charges, service charge for water, and monthly residential storm water assessment. The residence must be individually metered. Annual income is for the period of January 1st to December 31st.

Credit will be granted where the household's total gross annual income does not exceed one hundred twenty percent (120%) of the most recent federal poverty guidelines issued by the U. S. Department of Health and Human Services.

Applicants aged 60 years or older or applicants with a medically verified permanent disability are required to file a new application on an annual basis every April (Annual Credit). The credit will be valid for one year and will be granted for the period of May 1 through April 30.

Permanently disabled applicants must include with their application a medical certificate (provided by the city) which must be signed by a medical doctor licensed by the State of New Mexico that certifies that the applicant is permanently disabled.

Applicants less than 60 years old with no permanent disabilities are required to reapply every three months (Semi-Annual Credit). The low income credit will be valid for a maximum of three months with each approved application.

Applicants applying for Low Income Credit must include a copy of their current year federal or state income tax filing with their application. Applicants that are not required to file Federal or State income tax forms will be required to provide documentation of all income or financial assistance that they are receiving. Additional proof of income may be required.

Applicants must report all income or assistance for the total household, including but not limited to wages, social security, retirement, veteran's benefits, welfare payments, alimony, rents/royalties, interest/dividends, food stamps, gambling winnings, disability, or any other income not included in this list. Applicants must report the names, ages and incomes of all persons residing in the household. The applicant agrees to promptly report any increases or new income received during the period of the approved credit.

Failure of an applicant to reapply for the low income credit may result in the loss of the credit for the period of time from the expiration of the current credit to the date a new application is received and approved.

No retroactive credits will be granted. In well documented hardship cases, the customer may apply to receive a formal hearing for the city to consider approval of an exemption of this rule. The customer must file a written request and include all applicable documentation plus the applicable hearing fee.

Applicants must consent to any reasonable investigation and substantiation of any or all data submitted on or with their application.

Applicant(s) must reside at the service address of record.

**Per Chapter 15-1.3B3 - "The filing of a false statement or otherwise fraudulently obtaining the benefits of this section is a violation of the Santa Fe City Code and is punishable pursuant to Section 1-3 (General Penalty) of this Code and shall entitle the city to recover any fraudulently exempted amount and applicable interest penalties."**

**Per Chapter 1-3 - General Penalty - "Any violation of the Santa Fe City Code of 1987, not specifically provided for in any ordinance, resolution, rule, regulation or order to the contrary, is punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment in the county jail for a term of not more than ninety (90) days, or by both such fine and imprisonment. Every day that any such violation continues constitutes a separate offense, except where otherwise provided."**

# City of Santa Fe, New Mexico

# memo

Date: August 10, 2016

To: Brian K. Snyder, City Manager

From: Teresita Garcia, Assistant Finance Director



ITEM & ISSUE:

City Poverty Guidelines

BACKGROUND & SUMMARY :

Regarding Low Income for recreation, residential refuse, sewer, storm water and water service fee credits, the most recent update for the National Poverty Income limits was published in the Federal Register. City guidelines are 120% of Federal Guidelines.

The appropriate income limits are as follows: (Household and Family may be considered interchangeable in this context).

Size of Family	Poverty Income	City Qualifying Annual Income	Monthly Income
1.	\$11,880	\$14,256	\$1,188
2.	\$16,020	\$19,224	\$1,602
3.	\$20,160	\$24,192	\$2,016
4.	\$24,300	\$29,160	\$2,430
5.	\$28,440	\$34,128	\$2,844
6.	\$32,580	\$39,096	\$3,258
7.	\$36,730	\$44,076	\$3,673
8.	\$40,890	\$49,068	\$4,089

Federal Guidelines

For family units with more than eight (8) members, add \$4,160 to The poverty income level for each additional family member.

City Qualifying

For family units with more than eight (8) members, add \$4,992 to the annual income for each additional member or \$416 to the monthly income to meet City eligibility limits.

  
Brian K. Snyder, City Manager

08/22/2016  
Date



# CITY OF SANTA FE ADMINISTRATIVE MANUAL

Originating Business Unit: Utility Billing Division

## SUBJECT

<b>Low Income Credit Policy</b>	<b>Policy Number</b>	<b># Pages</b>
	13-0-0	00
	<b>Effective Date</b>	<b>Revision Date</b>
	01-01-2006	

### 1.0 PURPOSE:

- 1.1 This policy is designed to outline and define the procedures for applying, qualifying, reviewing, approving and processing applications for Low Income Credits as granted by City Ordinance Chapter 15-1.3.

### 2.0 APPLICABLE TO:

- 2.1 Finance Department Utility Billing Division Customer Service Section
- 2.2 Finance Department Utility Billing Division Collections Section
- 2.3 Finance Department Financial Management Division

### 3.0 REFERENCES:

- 3.1 City Code Chapter 15-1.3 - Poverty Exemption
- 3.2 City Code Chapter 1-3 - General Penalty
- 3.3 Utility Billing Appeals Procedure 3.0.0
- 3.4 Utility Billing Special Fee and Penalty Policy and Procedures 4.0.0

### 4.0 DEFINITIONS:

- 4.1 Household - All working persons who live in one residence.
- 4.2 Total Household Income - The gross income of all individuals of the household.

### 5.0 POLICY:

- 5.1 Chapter 15-1.3 - The Poverty Exemption allows that qualified customers be granted exemptions from the following utility charges if their total gross household's income falls below the City's Low Income Limits:
  - 5.1.1 Monthly residential sewer assessment and charges.
  - 5.1.2 Monthly residential refuse assessment and charges.
  - 5.1.3 Monthly residential service charge for water.
    - 5.1.3.1 The residence must be individually metered.
  - 5.1.4 Monthly residential storm water assessment.

- 5.2 This policy defines additional criteria required by the City of Santa Fe to determine qualification for this program.
  - 5.2.1 Credit will be granted where the household's total gross annual income (as defined by section 5.2.5 of this procedure) does not exceed one hundred twenty percent (120%) of the most recent federal poverty guidelines issued by the U. S. Department of Health and Human Services.
  - 5.2.2 Applicants aged 60 years or older or applicants with a medically verified permanent disability are required to file a new application on an annual basis every April (Annual Credit). The credit will be valid for one year and will be granted for the period of May 1 through April 30.
    - 5.2.2.1 Permanently disabled applicants must include with their application a medical certificate (provided by the city) which must be signed by a medical doctor licensed by the State of New Mexico that certifies that the applicant is permanently disabled.
  - 5.2.3 Applicants less than 60 years old with no permanent disabilities are required to reapply every three months (Semi-Annual Credit). The low income credit will be valid for a maximum of three months with each approved application.
  - 5.2.4 Applicants applying for Low Income Credit must include a copy of their current year federal or state income tax filing with their application. Applicants that are not required to file Federal or State income tax forms will be required to provide documentation of all income or financial assistance that they are receiving.
  - 5.2.5 Applicants must report all income or assistance for the total household, including but not limited to:
    - 5.2.5.1 Wages
    - 5.2.5.2 Social Security
    - 5.2.5.3 Retirement
    - 5.2.5.4 Veteran's Benefits
    - 5.2.5.5 Welfare Payments
    - 5.2.5.6 Alimony
    - 5.2.5.7 Rents/Royalties
    - 5.2.5.8 Interest/Dividends
    - 5.2.5.9 Food Stamps
    - 5.2.5.10 Gambling Winnings
    - 5.2.5.11 Any other income not listed
  - 5.2.6 Applicants must report the names, ages and incomes of all persons residing in the household.
  - 5.2.7 Failure of an applicant to reapply for the low income credit may result in the loss of the credit for the period of time from the expiration of the current credit to the date a new application is received and approved.

- 5.2.8 No retroactive credits will be granted.
  - 5.2.8.1 In well documented hardship cases, the customer may apply to receive a formal hearing for the city to consider approval of an exemption of this rule. The customer must file a written request and include all applicable documentation plus the applicable hearing fee.
- 5.2.9 The applicant agrees to promptly report any increases or new income received during the period of the approved credit.
- 5.2.10 Applicants must consent to any reasonable investigation and substantiation of any or all data submitted on or with their application.
- 5.2.11 Applicant(s) must reside at the service address of record.
- 5.2.12 Per Chapter 15-1.3B3 - "The filing of a false statement or otherwise fraudulently obtaining the benefits of this section is a violation of the Santa Fe City Code and is punishable pursuant to Section 1-3 (General Penalty) of this Code and shall entitle the city to recover any fraudulently exempted amount and applicable interest penalties."
- 5.2.13 Per Chapter 1-3 - General Penalty - "Any violation of the Santa Fe City Code of 1987, not specifically provided for in any ordinance, resolution, rule, regulation or order to the contrary, is punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment in the county jail for a term of not more than ninety (90) days, or by both such fine and imprisonment. Every day that any such violation continues constitutes a separate offense, except where otherwise provided.

## 6.0 PROCEDURES:

- 6.1 Every year in February, Customer Service is to determine what the Federal Poverty Guidelines are for the new calendar year.
  - 6.1.1 The Federal Poverty Guidelines can be found by following the following Internet link:  
  
<http://aspe.hhs.gov/poverty/index.shtml>
  - 6.1.2 Upon determination of the new Federal Poverty Guidelines, Customer Service is to create a memo for the signature of the Finance Director and should include:
    - 6.1.2.1 A statement of the volume, number, date and page of the Federal Register where the new guidelines were published.
    - 6.1.2.2 A table showing:

- 6.1.2.2.1 The size of the family or household (number of household members).
  - 6.1.2.2.2 The Poverty Income level for each family or household size.
  - 6.1.2.2.3 The City Qualifying Annual Income for each family or household size. This amount is calculated by multiplying the Federal Poverty Income level by 120% as defined by Chapter 15-1.3B(b).
  - 6.1.2.2.4 The City Qualifying Monthly Income for each family or household size. This amount is calculated by dividing the City Qualifying Annual Income by 12.
  - 6.1.2.3 A statement that advises that for family or household sizes with more than eight (8) members, to add the additional Federal Poverty Income Level amount for each additional family or household member.
  - 6.1.2.4 A statement that advises that for family or household sizes with more than eight (8) family or household members, to add the additional City Qualifying Income level for each additional member of the family or household. This amount is calculated by multiplying the Federal Poverty Income Level by 120%
- 6.2 After the memo has been signed by the Finance Director, the Customer Service Section will notify all customers currently receiving the Low Income Credit of the changes in the Federal Poverty Guidelines and the process to be followed for applying for the new year.
- 6.2.1 Customer Service Section, by no later than March 15<sup>th</sup>, is to mail to all current low income credit customers the following:
    - 6.2.1.1 A letter announcing the new Federal and City Low Income Guidelines and the customer's requirement to file for the upcoming year.
    - 6.2.1.2 A copy of the Federal Poverty Income Guidelines memo as signed by the Finance Director.
    - 6.2.1.3 A new Low Income Credit Application form.
    - 6.2.1.4 A new Medical Certification form.
    - 6.2.1.5 Instructions and deadlines for submission of their application.
    - 6.2.1.6 A copy of this Policy and Procedure.
- 6.3 The employee receiving the customer's application must ensure that all forms required for this procedure are received at the same time from the customer.


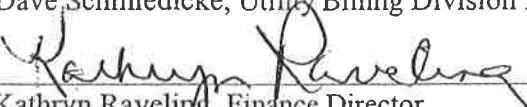
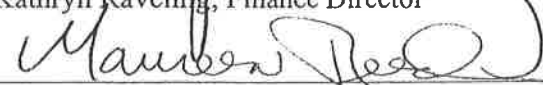
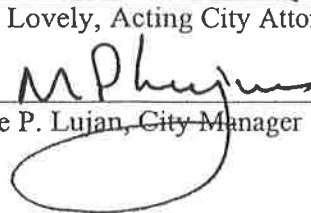


- 6.3.1 If the customer has hand-delivered their application, the employee must immediately review the customer's submittal, while the customer is present, for accuracy and completion. Incomplete applications must be immediately returned to the customer for correction or completion.
- 6.3.2 If the customer has submitted their application through the mail, the employee will notify the customer in writing that their application is incomplete and what is required to complete the application. The customer will be notified that the credit will not be granted until the application and all required forms have been completed.
- 6.3.3 The employee will review all information submitted to determine if the customer qualifies for the low income credit. The employee will contact the customer, preferably by phone, if any information is missing, confusing or incorrect.
  - 6.3.3.1 The employee should review any previous applications submitted by the customer, whether approved or denied, to assist in verification of the accuracy of the information presented in the application.
- 6.3.4 If the application meets all of the qualifying criteria as required by this procedure, the employee is to approve the application and enter:
  - 6.3.4.1 All Low Income Credit (LIC) bill item codes to the customer's account if the customer is applying for an Annual Credit.
  - 6.3.4.2 An adjustment for a flat credit amount for customers applying for a Semi-Annual Credit.
  - 6.3.4.3 The application and all attached forms will be given to the Customer Service Manager or Customer Service Administrative Manager for review and final approval.
  - 6.3.4.4 Due to the criticality and importance of this credit to customers, the completed application and forms will be filed immediately for easy and quick retrieval.
  - 6.3.5 If the application does not meet all of the qualifying criteria, the employee shall notify the customer, in writing, within 14 working days of receipt of application, barring extenuating circumstances, that the application is incomplete, needs more information or has been denied due to their not meeting the qualifications.
- 6.3.6 Customer Service Section may assign an employee to perform field checks to verify that the information submitted by the applicant is valid.
- 6.3.7 Customer Service Section may require a customer to reapply for the low income credit at any time.

**7.0 APPENDIXES:**

- 7.1 Annual Low Income Poverty Guidelines Memo.
- 7.2 Low Income Credit Application form.
- 7.3 Medical Certification form.
- 7.4 Incomplete Application - Letter to Customer.

**8.0 REVIEW AND APPROVALS:**

- 8.1 PREPARED BY:  1/18/06  
Dave Schmiedicke, Utility Billing Division Director    **DATE**
- 8.2 REVIEWED BY:  1/17/06  
Kathryn Raveling, Finance Director    **DATE**
- 8.3 REVIEWED BY:   
Ann Lovely, Acting City Attorney    **DATE**
- 8.4 APPROVED BY: for  1-18-06  
Mike P. Lujan, City Manager    **DATE**