



**State of Florida
Low-Income Home Energy Assistance Program (LIHEAP)**

Model State Plan

October 1, 2023 – September 30, 2024

DRAFT

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Executive Summary

Each year, the Florida Department of Commerce (Florida Commerce) submits the Florida Low-Income Home Energy Assistance Program (LIHEAP) Model (State Plan). The State Plan for Federal Fiscal Year (FFY) 2024, serves as Florida's application to the United States Department of Health and Human Services (HHS) for LIHEAP funding. It is also the state's guide for allocating all awarded program funds throughout each fiscal year. These funds will provide assistance to more than 140,000 households across the state. LIHEAP is administered by Florida Commerce, which has primary responsibility for the state's community assistance programs. Florida Commerce is uniquely positioned to deliver eligible activities under LIHEAP in coordination with other state and local partners. Florida Commerce will distribute all LIHEAP funding for FFY 2024 in accordance with this State Plan.

In collaboration with its partners, Florida Commerce assists the Governor in advancing Florida's economy by supporting the state's economic development vision and administering state and federal programs and initiatives to help visitors, citizens, businesses, and communities. Florida Commerce's administrative responsibility for LIHEAP is assigned to the Bureau of Economic Self-Sufficiency (BESS) within the Division of Community Development. In addition to LIHEAP, BESS administers the Community Services Block Grant (CSBG) program, the Low-Income Household Water Assistance Program (LIHWAP), and the Weatherization Assistance Program (WAP).

The purpose of LIHEAP is to assist low-income households with the costs of home heating and cooling needs. The majority of the funds are used for utility payment assistance. LIHEAP has three categories of assistance: home energy assistance, crisis assistance, and weather-related or supply-shortage emergency assistance. Each category has unique requirements and may fund needs such as utility bill payments, utility deposits, fees for restoring power, or the repair or replacement of heating or cooling equipment. Weather-related and supply shortage emergency assistance is also available if an emergency is declared.

Florida implements the program through a network of 30 designated local governments and nonprofit agencies (Subrecipients). Funds may be used by the Subrecipients to further the stated purposes of the program. Per the LIHEAP federal statute, Assurance 1, Use of Funds, Section 2605(b)(1), the purpose of LIHEAP funds is to conduct outreach activities and assist low-income households in meeting their home energy costs. Awarded LIHEAP funding is allocated to Subrecipients each year in conjunction with the State's authorized budget authority for each State Fiscal Year, which runs from July 1st through June 30th the following calendar year.

LIHEAP contributes significantly to the state's economy and to the well-being of low-income residents. Through the provision of LIHEAP benefits, low-income residents can heat and cool their homes, thereby ensuring their health and safety. For some residents without a source of regular income, LIHEAP benefits can effectively reduce their home energy burden by a significant amount. In partnership with the network of Subrecipients that deliver program services, Florida Commerce will ensure that these funds will help maintain healthy communities throughout the FFY 2024 program year.

Section 1 Program Components

Program Components, 2605(a), 2605(b)(1) – Assurance 1, 2605(c)(1)(C)

1.1 Check which components you will operate under the LIHEAP program.

(Note: You must provide information for each component designated here as requested elsewhere in this plan.)

Program Component	Start Date of Operation	End Date of Operation
Home Energy Assistance	07/01/2023	06/30/2024
Crisis Assistance	07/01/2023	06/30/2024
Weatherization Assistance	07/01/2023	06/30/2024
Weather Related Assistance	07/01/2023	06/30/2024

Provide further explanation for the dates of operation, if necessary: Florida operates a year-round heating, cooling, and crisis assistance program.

Estimated Funding Allocation, 2604(c), 2605(k)(1), 2605(b)(9), 2605(b) (16) –Assurances 9 and 16.

1.2 Estimate what amount of available LIHEAP funds will be used for each component that you will operate: The total of all percentages must add up to 100 percent.

Program Component	Estimated percentage of funding
Heating assistance	11.00%
Cooling assistance	22.00%
Crisis assistance	40.00%
Weatherization assistance	5.00%
Weather Related Assistance	2.00%
Carryover to the following federal fiscal year	10.00%
Administrative and planning costs	10.00%
Services to reduce home energy needs	00.00%
Used to develop and implement leveraging	00.00%
TOTAL	100.00%

Alternate Use of Crisis Assistance Funds, 2605(c)(1)(C)

1.3 The funds reserved for winter crisis assistance that have not been expended by March 15 will be reprogrammed to:

	Heating assistance
	Weatherization assistance
	Cooling assistance
X	Other (specify): Year-round home energy cooling and/or heating assistance and weather-related assistance

Categorical Eligibility, 2605(b)(2)(A) – Assurance 2, 2605(c)(1)(A), 2605(b)(8A) – Assurance 8

1.4 Do you consider households categorically eligible if one household member receives one of the following categories of benefits in the left column below? Yes No

If you answered "Yes" to question 1.4, you must complete the table below and answer questions 1.5 and 1.6.

	Heating	Cooling	Crisis	Weatherization
Temporary Assistance for Needy Families (TANF)	X	X	X	X
Supplemental Security Income (SSI)	X	X	X	X
Supplemental Nutrition Assistance Program (SNAP)	X	X	X	X
Means-tested veteran’s program				

	Program Name	Heating	Cooling	Crisis	Weatherization
Other (specify)					

1.5 Do you automatically enroll households without a direct annual application? **No**
If yes, explain

1.6 How do you ensure there is no difference in the treatment of categorically eligible households from those not receiving other public assistance when determining eligibility and benefit amounts?

Other than the waiver of income verification for clients considered categorically eligible, the process is the same for all applicants as it relates to the intake and benefit amount. The Subrecipient ensures that applicant information is provided by the certifying agencies for TANF, SSI, and SNAP.

SNAP Nominal Payments

1.7a Do you allocate LIHEAP funds toward a nominal payment for SNAP clients? Yes No

If you answered "Yes" to question 1.7a, you must provide a response to questions 1.7b, 1.7c, and 1.7d.

1.7b Amount of Nominal Assistance: **\$0.00**

1.7c Frequency of Assistance:

- Once per year
- Once every five years
- Other — describe:

1.7d How do you confirm that the household receiving a nominal payment has an energy cost or need? **Not applicable to Florida**

Determination of Eligibility – Countable Income

1.7 In determining a household’s income eligibility for LIHEAP, do you use gross income or net income?

- Gross income
- Net income

1.8 Select all the applicable forms of countable income used to determine a household’s income eligibility for LIHEAP.

- Wages
- Self-employment income
- Contract income
- Payments from mortgage or sales contracts
- Unemployment insurance
- Strike pay
- Social Security Administration (SSA) benefits
 - Including Medicare deduction
 - Excluding Medicare deduction
- Supplemental Security Income
- Retirement/pension
- General Assistance benefits
- TANF benefits
- SNAP benefits
- Women, Infants and Children Supplemental Nutrition Program (WIC) benefits
- Loans that need to be repaid
- Cash gifts (over \$12,000)
- Savings account balance
- One-time lump-sum payments, such as rebates/credits, winnings from lotteries, refund deposits, etc.
- Jury duty compensation
- Rental income (with certain allowable deductions for owner-occupied units)
- Income from employment through Workforce Investment Act (WIA)
- Income from work study programs
- Alimony
- Child support
- Interest, dividends, or royalties (with exclusions)
- Commissions
- Legal settlements
- Insurance payments made directly to the insured
- Insurance payments made specifically for the repayment of a bill, debt, or estimate
- Veterans Administration (VA) benefits

- Earned income of a child under the age of 18
- Balance of retirement, pension, or annuity accounts where funds cannot be withdrawn without a penalty.
- Income tax refunds
- Stipends from senior companion programs, such as Volunteers in Service to America (VISTA)
- Funds received by household for the care of a foster child
- Ameri-Corp Program payments for living allowances, earnings, and in-kind aid.
- Reimbursements (for mileage, gas, lodging, meals, etc.) (see self-employment deduction)
- Other — Training stipends; net gambling or lottery winnings; periodic receipts from estates or trusts; payments to foster children aged 18 or older received through the Independent Living Program; and, Social Security benefit garnishes for non-payment of school loans.**

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 2 – Heating Assistance

Eligibility, 2605(b)(2) – Assurance 2

2.1 Designate the income eligibility threshold used for the heating component:

Household Size	Eligibility Guideline	Eligibility
1 – 8	State Median Income	60%
9+	Federal Poverty Guidelines	150%

2.2 Do you have additional eligibility requirements for heating assistance? Yes No

2.3 Check the appropriate boxes below and describe the policies for each.

	<u>Yes</u>	<u>No</u>
Do you require an asset test?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Do you have additional/differing eligibility policies for:		
Renters?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Renters living in subsidized housing?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Renters with utilities included in the rent?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Do you give priority in eligibility to:		
Elderly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disabled?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Young children?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Households with high energy burdens?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanations of policies for each “yes” checked above:

Additional requirements for heating assistance:

- Household must not have received the same type of benefit within the previous 12 months (excludes crisis).
- Applicant must show proof of responsibility for paying all or part of the utility bill.

Individuals who are elderly, disabled, or have young children will receive eligibility priority. Additional benefits are provided if at least one member of the household is elderly, disabled, or a child aged five or under.

Determination of Benefits 2605(b)(5) - Assurance 5, 2605(c)(1)(B)

2.4 Describe how you prioritize the provision of heating assistance to vulnerable populations, e.g., benefit amounts, early application periods, etc.

Vulnerable populations are provided an additional benefit when applying for heating assistance (see attached benefit payment matrix for home energy benefits):

- Applicant with one or more elderly members: Additional \$100 benefit per household.
- Applicant with one or more disabled members: Additional \$100 benefit per household.
- Applicant with one or more young children aged 5 or younger: Additional \$150 benefit per household.

2.5 Check the variables you use to determine your benefit levels. (Check all that apply):

- Income
- Family (household) size
- Home energy cost or need:
 - Fuel type
 - Climate/region
 - Individual bill
 - Dwelling type (subsidized vs. non-subsidized housing)
 - Energy need
 - Other (describe)

Applicant households with one or more vulnerable population members (elderly, disabled, or young children) are provided an additional benefit (see 2.4 above and attached).

Benefit Levels, 2605(b)(5) – Assurance 5, 2605(c)(1)(B)

2.6 Describe estimated benefit levels for FY 2024:

Minimum benefit	\$ <u>400.00</u>	Maximum benefit	\$ <u>1,350</u>
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2.7 Do you provide in-kind (e.g., blankets, space heaters) and/or other forms of benefits?

- Yes No

If yes, describe:

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here. **2.6 – Maximum benefit is based on the highest income-eligible “Home Energy” benefit of \$1,000 plus potential additional benefits for an Elderly, Disabled, or Young Child (Aged 5 or under) household member as outlined in 2.4.**

Section 3: Cooling Assistance

Eligibility, 2605(c)(1)(A), 2605(b)(2) – Assurance 2 – N/A

3.1 Designate the income eligibility threshold used for the cooling component:

Household Size	Eligibility Guideline	Eligibility
1 – 8	State Median Income	60%
9+	Federal Poverty Guidelines	150%

3.2 Do you have additional eligibility requirements for cooling assistance? Yes No

3.3 Check the appropriate boxes below and describe the policies for each.

	<u>Yes</u>	<u>No</u>
Do you require an asset test?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Do you have additional/differing eligibility policies for;		
Renters?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Renters living in subsidized housing?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Renters with utilities included in the rent?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Do you give priority in eligibility to;		
Elderly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disabled?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Young children?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Households with high energy burdens?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of policies for each “yes” checked above:

Additional requirements for cooling assistance:

- Household must not have received the same type of benefit within the previous 12 months (excludes crisis).
- Applicant must show proof of responsibility to pay for part or all of the utility bill.

Priority in eligibility to elderly, disabled, or young children. An additional benefit is provided if at least one member of the household is elderly, disabled, or a child age five or under; additional priority and additional benefit is provided to households with higher energy burdens (i.e., lower income households).

3.4 Describe how you prioritize the provision of cooling assistance to vulnerable households, e.g., benefit amounts, application period, etc.

Vulnerable populations are provided an additional benefit when applying for heating assistance (see attached benefit payments matrix):

- Applicant with one or more elderly members: Additional \$100 benefit per household.
- Applicant with one or more disabled members: Additional \$100 benefit per household.
- Applicant with one or more young children age 5 or younger: Additional \$150 benefit per household.

Determination of Benefits, 2605(b)(5) – Assurance 5, 2605(c)(1)(B)

3.5 Check the variables you use to determine your benefit levels. (Check all that apply):

- Income
- Family (household) size
- Home energy cost or need
 - Fuel type climate/region
 - Individual bill
 - Dwelling type
 - Energy burden (Percent of income spent on home energy)
 - Energy need
 - Other (describe):

Applicant households with one or more vulnerable population members (elderly, disabled, or young children) are provided an additional benefit (see 2.4 above and attached).

Benefit Levels, 2605(b)(5) – Assurance 5, 2605(c)(1)(B)

3.6 Describe benefit levels:

Minimum benefit	\$ <u>400.00</u>	Maximum benefit	\$ <u>1,350.00</u>
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3.7 Do you provide in-kind (e.g. fans, air conditioners) and/or other forms of benefits? Yes No

If yes, describe:

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here. **3.6 – Maximum benefit is based on the highest income-eligible “Home Energy” benefit of \$1,000 plus potential additional benefits for an Elderly, Disabled, or Young Child (Aged 5 or under) household member as outlined in 3.4.**

Section 4: Crisis Assistance

Eligibility - 2604(c), 2605(c)(1)(A)

4.1 Designate the income eligibility threshold used for the crisis component:

Household Size	Eligibility Guideline	Eligibility
1 – 8	State Median Income	60%
9+	Federal Poverty Guidelines	150%

4.2 Provide your LIHEAP program’s definition for determining a crisis.

Florida has a statewide definition of energy crisis that all subrecipients must use to determine if a client is eligible for a crisis benefit:

- a. The applicant has been notified that the energy source for cooling or heating is going to be disconnected.
- b. The applicant has received a notice indicating the energy source is delinquent or past due.
- c. The applicant has a bill for which the due date has lapsed.

4.3 What constitutes a life-threatening crisis?

All life-threatening crisis applications/situations must be resolved within 18 hours. The statewide policy is:

- a. The applicant's home cooling or heating energy source has been disconnected.
- b. The applicant is unable to receive delivery of fuel for heating, is out of fuel for heating, or is in danger of being out of fuel for heating.
- c. The applicant has other problems with lack of cooling or heating in the home, such as needing to pay a deposit, needing to repair heating or cooling equipment, or needing an interim emergency measure to avoid further crisis.

Eligible Actions - All applications for crisis assistance must be acted upon by the recipient with an eligible action taken to mediate the crisis within 48 hours of application receipt for non-life-threatening applications, and 18 hours of application receipt for life-threatening crisis applications. Eligible actions include:

- a. Approval of the application;
- b. Denial of the application;
- c. Denial of the application because the applicant is deemed ineligible;
- d. Contact with the utility vendor to halt power disconnection or interruption in services;
- e. Written referral, along with providing applicant assistance by contacting another;
- f. Subrecipient agency if LIHEAP funding is not available, or;
- g. Notice of applicant ineligibility.

Crisis Requirements, 2604(c)

4.4 Within how many hours do you provide crisis assistance that will resolve the energy crisis for eligible households? **48 hours**

4.5 Within how many hours do you provide crisis assistance that will resolve the energy crisis for eligible households in life-threatening situations? **18 hours**

Crisis Eligibility, 2605(c)(1)(A)

4.6 Do you have additional eligibility requirements for crisis assistance? Yes No

4.7 Check the appropriate boxes below and describe the policies for each.

	<u>Yes</u>	<u>No</u>
Do you require an assets test?:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Do you give priority in eligibility to:		
Elderly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disabled?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Young Children?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Households with high energy burdens?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
In order to receive crisis assistance:		
Must the household have received a shut-off notice or have a near empty tank?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Must the household have been shut off or have an empty tank?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Must the household have exhausted their regular heating benefit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Must renters with heating costs included in their rent have received an eviction notice?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Must heating/cooling be medically necessary?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Must the household have non-working heating or cooling equipment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other? (delinquent notices)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do you have additional/differing eligibility policies for;		
Renters?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Renters living in subsidized housing?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Renters with utilities included in the rent?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation of policies for each “yes” checked above:

Additional requirements for crisis assistance include:

- Applicant must show proof of responsibility to pay for part or all of the utility bill.

Local subrecipients give priority in appointments to households with members in one or more of the vulnerable populations, and depending on funding availability, may only provide crisis benefits to households with one or more members of a vulnerable population.

Additional requirements for renters living in subsidized housing:

- Applicants are eligible for both crisis and non-crisis benefits; however, the portion of the utilities subsidized through the housing program must be deducted from the crisis benefit received.
- Subrecipient needs to review the bill associated with the renter portion of the residence, and once a determination is made on the percentage of the renter’s use of the dwelling, then home energy or crisis payment can be processed.

Determination of Benefits

Household Size	Eligibility Guideline	Eligibility
1 – 8	State Median Income	60%
9+	Federal Poverty Guidelines	150%

4.8 How do you handle crisis situations?

- Separate Component
- Fast Track
- Other (describe):

4.9 If you have a separate component, how do you determine crisis assistance benefits?

- Amount to resolve crisis, up to a maximum of **\$5,000**
- Other — describe:

Crisis assistance benefits include the amount required to resolve the crisis up to the maximum of \$5,000. Applicants are eligible to receive a crisis benefit multiple times up to the crisis benefit maximum throughout the program year based on client need and funding. Each Subrecipient has the option to provide multiple crisis benefits per year up to the allowed program per-household maximum amount, depending on funding and demand. Subrecipients are not authorized to exceed the per-household maximum amount.

Crisis Requirements, 2604(c)

4.10 Do you accept applications for energy crisis assistance at sites that are geographically accessible to all households in the area to be served? Yes No

Explain: All Subrecipients must operate offices and hours that are accessible to all households in the counties served.

4.11 Do you provide individuals who are physically disabled the means to:

- Submit applications for crisis benefits without leaving their homes?
 Yes No If No, explain.
- Travel to the sites at which applications for crisis assistance are accepted?
 Yes No If No, explain.

If you answered “No” to both options in question 4.11, please explain alternative means of intake to those who are homebound or physically disabled.

Benefit Levels, 2605(c)(1)(B)

4.12 Indicate the maximum benefit for each type of crisis assistance offered.

Year-round Crisis **\$5,000** maximum benefit

4.13 Do you provide in-kind (e.g. blankets, space heaters, fans) and/or other forms of benefits?

Yes No

If yes, describe:

Subrecipients may provide space heaters and electric blankets. In the event of a weather-related or supply shortage emergency, directives are developed specifically to address the emergency need, such as the repair or replacement of heating/cooling equipment, emergency deposits, short-term housing costs, etc. The allowable limits and measures are outlined as needed.

4.14 Do crisis funds provide for equipment repair or replacement? Yes No

4.15 Check appropriate boxes below to indicate type(s) of assistance provided:

	Winter Crisis	Summer Crisis	Year-round Crisis
Heating system repair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Heating system replacement	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cooling system repair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cooling system replacement	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wood stove purchase	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pellet stove purchase	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Solar panel(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Utility poles / Gas line hook-ups	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other (specify): other energy-related repairs / replacements up to the maximum allowable for each instance.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4.16 Do any of the utility vendors you work with enforce a winter moratorium on shut offs?

Yes No

If you responded "Yes" to question 4.16, you must respond to question 4.17.

4.17 Describe the terms of the moratorium and any special dispensation received by LIHEAP clients during or after the moratorium period. **Not applicable.**

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 5: Weatherization Assistance

Eligibility, 2605(c)(1)(A), 2605(b)(2) – Assurance 2

5.1 Designate the income eligibility threshold used for the weatherization component:

Add	Household Size	Eligibility Guideline	Eligibility Threshold
1	All Household Sizes	Federal Poverty Guidelines	200.00%

5.2 Do you enter into an interagency agreement to have another government agency administer a weatherization component? Yes No

5.3 If yes, name the agency.

5.4 Is there a separate monitoring protocol for weatherization? Yes No

Weatherization - Types of Rules

5.5 Under what rules do you administer LIHEAP weatherization? (Check only one).

- Entirely under LIHEAP (not the Department of Energy (DOE) rules).
- Entirely under DOE WAP (not LIHEAP) rules.
- Mostly under LIHEAP rules with the following DOE WAP rule(s) where LIHEAP and WAP rules differ (Check all that apply):
 - Income threshold
 - Weatherization of entire multi-family housing structure is permitted if at least 66 percent of units (50 percent in two, and four unit buildings) are eligible units or will become eligible within 180 days.
 - Weatherized shelters temporarily housing primarily low-income persons (excluding nursing homes, prisons and similar institutional care facilities).
 - Other, describe:
- Mostly under DOE WAP rules, with the following LIHEAP rule(s), where LIHEAP and WAP rules differ (check all that apply).
 - Income threshold.
 - Weatherization not subject to DOE WAP maximum statewide average cost-per-dwelling unit.
 - Weatherization measures are not subject to DOE Savings to Investment Ratio (SIR) standards.
 - Other, describe:

Heating, Ventilation, and Air Conditioning (HVAC) Replacement: Florida WAP provides HVAC repair and replacement services to low-income households where the central air conditioner or heat pump is below the Seasonal Energy Efficiency Ratio (SEER) of 10, older than 10 years old, or nonfunctional.

Priority will be given to households that have no central air conditioning without a requirement to meet a Savings to Investment Ratio (SIR) over one (1) or fall within the weatherization process. Installed air conditioners or heat pumps must exceed a SEER of 14.5.

The maximum grant for HVAC system repair or replacement and associated duct installation, repair, or replacement is \$15,000 per dwelling for owner-occupied homes.

Energy-related home repair: Florida will allow the use of LIHEAP weatherization funds for structural and ancillary repairs, only if the repairs are required to enable effective weatherization.

Eligibility, 2605 (b) (5) - Assurance 5

5.6 Do you require an asset test? Yes No

5.7 Do you have additional/differing eligibility policies for:

Renters? Yes No

Renters living in subsidized housing? Yes No

5.8 Do you give priority in eligibility to:

	<u>Yes</u>	<u>No</u>
Elderly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disabled?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Young children?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Households with high energy burdens?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you selected "Yes" for any of the options in questions 5.6, 5.7, or 5.8, you must provide further explanation of these policies in the text field below.

WAP follows all United States Department of Energy guidelines for applicant income, eligibility, and prioritization.

Benefit Levels

5.9 Do you have a maximum LIHEAP weatherization benefit/expenditure per household?

Yes No

5.10 If Yes, what is the maximum amount? **\$15,000**

5.11 Types of Assistance, 2605(c)(1), (B) & (D)

5.12 What LIHEAP weatherization measures do you provide? (Check all categories that apply.)

- Weatherization needs assessments/audits
- Caulking and insulation
- Storm windows
- Furnace/heating system modifications/repairs
- Furnace replacement
- Cooling system modifications/repairs
- Water conservation measures
- Compact florescent light bulbs

- Energy-related roof repairs
- Major appliance repairs
- Major appliance replacements
- Windows/sliding glass doors
- Doors
- Water heater
- Cooling system replacement
- Other — describe:

Health and safety measures such as:

- **Installing carbon dioxide/smoke detectors;**
- **Code compliance;**
- **Minor plumbing;**
- **Electrical;**
- **Roof or flooring repairs;**
- **Minor drainage;**
- **Gutters and downspouts; and**
- **Removal of unvented space heaters.**

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 6: Outreach, 2605(b)(3) – Assurance 3, 2605(c)(3)(A)

6.1 Select all outreach activities that you conduct that are designed to assure that eligible households are made aware of all LIHEAP assistance available:

- Place posters/flyers in local and county social service offices, offices of aging, Social Security offices, VA, etc.
- Publish articles in local newspapers or broadcast media announcements.
- Include inserts in energy vendor billings to inform individuals of the availability of all types of LIHEAP assistance.
- Mass mailing(s) to prior-year LIHEAP recipients.
- Inform low-income applicants of the availability of all types of LIHEAP assistance at application intake for other low-income programs.

- Execute interagency agreements with other low-income program offices to perform outreach to target groups.
- Other (specify): see below.

Florida Commerce's website contains information concerning income eligibility and lists LIHEAP Subrecipients and their contact information. Florida Commerce holds an annual Utility Vendor Meeting to highlight LIHEAP and to receive feedback from vendors on their LIHEAP Subrecipients activities to assist LIHEAP clients.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 7: Coordination, 2605(b)(4) – Assurance 4

7.1 Describe how you will ensure that the LIHEAP program is coordinated with other programs available to low-income households (TANF, SSI, WAP, etc.)

- Joint application for multiple programs.
- Intake referrals to/from other programs.
- One-stop intake centers.
- Other — describe:

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 8: Agency Designation, 2605(b)(6) – Assurance 6

8.1 How would you categorize the primary responsibility of your state agency?

- Administration Agency
- Commerce Agency
- Community Services Agency
- Energy/Environment Agency
- Housing Agency
- Welfare Agency

Alternate Outreach and Intake, 2605(b) (15) – Assurance 15

If you selected "Welfare Agency" in question 8.1, you must complete questions 8.2, 8.3, and 8.4, as applicable.

8.2 How do you provide alternate outreach and intake for heating assistance? **Not applicable.**

8.3 How do you provide alternate outreach and intake for cooling assistance? **Not applicable.**

8.4 How do you provide alternate outreach and intake for crisis assistance? **Not applicable.**

8.5 LIHEAP Components Administration.

	Heating	Cooling	Crisis	Weatherization
8.5a Who determines client eligibility?	<ul style="list-style-type: none"> Local Governments Local County Governments Community Action Agencies Nonprofits 	<ul style="list-style-type: none"> Local Governments Local County Governments Community Action Agencies Nonprofits 	<ul style="list-style-type: none"> Local Governments Local County Governments Community Action Agencies Nonprofits 	<ul style="list-style-type: none"> Local Governments Local County Governments Community Action Agencies Nonprofits
8.5b Who processes benefit payments to gas and electric vendors?	<ul style="list-style-type: none"> Local Governments Local County Governments Community Action Agencies Nonprofits 	<ul style="list-style-type: none"> Local Governments Local County Governments Community Action Agencies Nonprofits 	<ul style="list-style-type: none"> Local Governments Local County Governments Community Action Agencies Nonprofits 	
8.5c Who processes benefit payments to bulk fuel vendors?	<ul style="list-style-type: none"> Local Governments Local County Governments Community Action Agencies Nonprofits 	<ul style="list-style-type: none"> Local Governments Local County Governments Community Action Agencies Nonprofits 	<ul style="list-style-type: none"> Local Governments Local County Governments Community Action Agencies Nonprofits 	
8.5d Who performs installation of weatherization measures?				<ul style="list-style-type: none"> Local Governments Local County Governments Community Action Agencies Nonprofits

If any of the LIHEAP components are not centrally administered by a state agency, you must complete question 8.6, 8.7, 8.8 and, if applicable, 8.9.

8.6 What is your process for selecting local administering agencies?

- 1) The process for selecting a local administering agency for a county that is unserved is included in the Subrecipients’ agreement and attached as reference to the grant application in the On-Line Data Collection System (OLDC).
- 2) For current local administering agencies, the process is non-competitive once the Subrecipient is chosen through the process outlined for selecting a local administering agency for a county that is unserved. Each year, once Florida Commerce receives its allocation from HHS, Florida Commerce uses its current funding formula to derive the amount of funding each Subrecipient will receive. Between five (5) to eight (8) percent is allocated to weatherization through the Memorandum of Agreement (MOA), and six percent is allocated to the Florida Department of Elder Affairs for annual plans, vendor agreements, and other supporting documentation. Florida Commerce must review and approve each grant prior to agency execution. A copy of the LIHEAP Agreement is attached.

8.7 How many local administering agencies do you use? 30

8.8 Have you changed any local administering agencies from last year? Yes No

8.9 If so, why?

- Agency was in noncompliance with grantee requirements for LIHEAP
- Agency is under criminal investigation
- Added agency
- Agency closed
- Other — describe:

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 9: Energy Suppliers, 2605(b)(7) – Assurance 7

9.1 Do you make payments directly to home energy suppliers?

- Heating Yes No
- Cooling Yes No
- Crisis Yes No
- Are there exceptions? Yes No

If yes, describe.

The only exception is if the Subrecipient agency does not have a vendor agreement in place (e.g., for smaller, locally owned gas businesses). In that case, a two-party check can be made out to the client and vendor.

9.2 How do you notify the client of the amount of assistance paid?

Each approved applicant is provided an approval letter with the amount of assistance provided and appeal procedures. Applicants may submit an appeal if they feel the benefit amount is incorrect or if they feel their application was not acted upon in a timely manner.

9.3 How do you assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment?

Each Subrecipient is required to enter into an agreement with each home energy supplier in their area. Within that agreement, the supplier agrees to this stipulation.

9.4 How do you assure that no household receiving assistance under this title will be treated adversely because of their receipt of LIHEAP assistance?

Each Subrecipient is required to enter into an agreement with each home energy supplier in their area. Within that agreement, the supplier agrees to this stipulation.

9.5 Do you make payments contingent upon unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households? Yes No

If so, describe the measures unregulated vendors may take.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 10: Program, Fiscal Monitoring and Audit, 2605(b) (10) – Assurance

10.1. How do you ensure good fiscal accounting and tracking of LIHEAP funds?

- 1) Financial activities are submitted by the CSBG eligible entities at least once a month. They are reviewed to ensure correct accounting of expenditures. Single audits are required to be submitted to FloridaCommerce by the CSBG eligible entities annually and must be reviewed each year for deficiencies or material weaknesses. On-site monitoring of administrative, fiscal, and program operations of each Subrecipient are conducted every two to three years. A sampling of fiscal operations, client files, and vendor payments are reviewed to ensure compliance with federal and state requirements of expenditures of funds. The monitoring tool used by Florida Commerce is attached as reference to the grant application in the On-Line Data Collection System (OLDC).

Audit Process

10.2. Is your LIHEAP program audited annually under the Single Audit Act and OMB Circular A-133? Yes No

10.3. Describe any audit findings rising to the level of material weakness or reportable condition cited in the A-133 audits, grantee monitoring assessments, inspector general reviews or other government agency reviews of the LIHEAP agency from the most recently audited federal fiscal year.

No findings

Finding	Type	Brief Summary	Resolved?	Action Taken

10.4. Audits of Local Administering Agencies

What types of annual audit requirements do you have in place for local administering agencies/district offices? Select all that apply.

- Local agencies/district offices are required to have an annual audit in compliance with the Single Audit Act and OMB Circular A-133.
- Local agencies/district offices are required to have an annual audit (other than A-133).
- Local agencies/district offices' A-133 or other independent audits are reviewed by grantee as part of compliance process.
- Grantee conducts fiscal and program monitoring of local agencies/district offices.

Compliance Monitoring

10.5 Describe the grantee's strategies for monitoring compliance with the Grantee's and federal LIHEAP policies and procedures. Select all that apply.

Grantee employees:

- Internal program review
- Departmental oversight
- Secondary review of invoices and payments
- Other program review mechanisms are in place

Local Administering Agencies/District Offices:

- On-site evaluation
- Annual program review
- Monitoring through Central Database

- Desk reviews
- Client File Testing/Sampling
- Other program review mechanisms are in place. Describe:

10.6 Explain or attach a copy of your local agency monitoring schedule and protocol.

- 1) Florida Commerce's current monitoring manual and monitoring schedule are attached as reference to the grant application in the OLDC.

10.7 Describe how you select local agencies for monitoring reviews?

Desk Reviews: Desk reviews are conducted monthly. Financial reports are reviewed monthly for accurate expenditure of funds. Household data is reported and reviewed quarterly. The contract is reviewed annually for fiscal compliance at closeout and again during the negotiation process for program and financial compliance.

Site Visits: Florida Commerce conducts on-site monitoring of all Subrecipients every two to three years. Priority in scheduling of monitoring visits is given based on the risk assessment conducted prior to issuing the grant. Priority is given if there is recent management or key program staff turnover, unresolved monitoring issues more than one year old, or identified audit findings or concerns that required a management letter.

10.8 How often is each local agency monitored?

On-site monitoring is completed every two to three years, or more often as described in the response to question 10.7.

10.9 What is the combined error rate for eligibility determinations? Optional

Not applicable

10.10 What is the combined error rate for benefit determinations? Optional

Not applicable

10.11 How many local agencies are currently on corrective action plans for eligibility and/or benefit determination issues? **0**

10.12 How many local agencies are currently on corrective action plans for financial accounting or administrative issues? **0**

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 11: Timely and Meaningful Public Participation, 2605(b) (12) –Assurance 12, 2605(c)(2)

11.1 How did you obtain input from the public in the development of your LIHEAP plan?

Check all that apply:

- Tribal Council meeting(s)
- Public Hearing(s)
- Draft plan posted to website and available for comment
- Hard copy of plan is available for public view and comment
- Comments from applicants are recorded
- Request for comments on draft plan is advertised
- Stakeholder consultation meeting(s)
- Comments are solicited during outreach activities

11.2 What changes did you make to your LIHEAP plan as a result of this participation?

Not applicable.

Section 4.3

Elaborate on Life-Threatening Crisis

Section 4.4

Non-Life-Threatening Crisis: Elaborate on Response Time

Section 4.5

Life-Threatening Crisis: Elaborate on Response Time

Public Hearings, 2605(a)(2)- For States and the Commonwealth of Puerto Rico Only

11.3 List the date(s) and location(s) that you held public hearing(s) on the proposed use and distribution of your LIHEAP funds?

Date	Event Description
July 31, 2023 (Tentative)	Public Hearing

11.4 How many parties commented on your plan at the hearing(s)?

11.5 Summarize the comments you received at the hearing(s).

11.6 What changes did you make to your LIHEAP plan as a result of the public hearing(s)?

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 12: Fair Hearings, 2605(b) (13) – Assurance 13

12.1 How many fair hearings did the grantee have in the prior federal fiscal year? **None**

12.2 How many of those fair hearings resulted in the initial decision being reversed? **None**

12.3 Describe any policy and/or procedural changes made in the last federal fiscal year as a result of fair hearings? **None**

12.4 Describe your fair hearing procedures for households whose applications are denied.

Florida has a minimum process for fair hearings and appeals that all subrecipients must follow:

At a minimum, each Subrecipients appeals process must provide an opportunity for an applicant or client to file a written appeal or complaint with a Subrecipients program supervisor within 10 business days of receipt of the written Notice of Denial and Appeal:

- a. **Upon receipt of a validly filed appeal or complaint, the agency must respond in writing within 10 business days.**
- b. **The applicant or client may appeal the Subrecipient response by filing its objections to the response with the agency's director, executive director, or board chair, as applicable, within five (5) business days of receipt of the first response.**
- c. **Upon receipt of a validly filed objection to the first response, the agency must respond in writing within 10 working days. The response must clearly state the final outcome of the appeal and that the decision is final and, if applicable, the circumstances under which the applicant or client may re-apply for service.**

12.5 **When and how are applicants informed of these rights?**

At a minimum, Subrecipients are required to furnish either a Notice of Denial for applicants who did not qualify and wish to appeal, or a Notice of Approval for applicants who are eligible. Subrecipients will furnish the letter in writing to all applicants within 15 business days of the application date (defined as the date the application is completed). The Subrecipients fair hearing and appeals process must also be posted in a prominent place where applications are taken. At a minimum, the written Notice of Denial and Appeals shall contain:

- 1. Name of applicant;**
- 2. Date of application;**
- 3. Type of benefit sought;**
- 4. Reason(s) for denial;**
- 5. Statement on Subrecipients' benefit limits, if applicable;**
- 6. Statement of appeals process;**
- 7. Explanation of the circumstances under which the applicant may reapply;**

8. Explanation of the information or documentation needed for the applicant to reapply;
9. Name, phone number, and address applicable to the appeal process; and
10. Number of days the applicant has to file the appeal.

The Notice of Approval and Appeals must contain:

1. Type and amount of assistance received;
2. The name of the energy vendor to be paid;
3. The next date when the client will be eligible to apply; and
4. The appeals and fair hearing policy (see the response to question 12.6 below).

12.6 Describe your fair hearing procedures for households whose applications are not acted on in a timely manner.

The fair hearing process for applications not acted upon in a timely manner is the same process as a fair hearing for a denial of an application. All applications must be acted upon with 'Reasonable Promptness', which is defined as within 15 business days of application receipt. The first day of application receipt is the date an applicant first submits an application for assistance.

Florida has a minimum process for fair hearing and appeals that all subrecipients must follow:

At a minimum, the Subrecipients appeals process must provide an opportunity for an applicant or client to file a written appeal or complaint with the Subrecipients program supervisor within 10 working days of receipt of the written Notice of Denial and Appeal or Notice of Approval:

- a. Upon receipt of a validly filed appeal or complaint, the Subrecipient must respond in writing within 10 business days.
- b. The applicant or client may appeal the agency's first response by filing its objections to the response with the Subrecipients director, executive director or board chair, as applicable, within five business days of receipt of the first response.
- c. Upon receipt of a validly filed objection to the first response, the Subrecipient must respond in writing within 10 business days, and the response must clearly state the final outcome of the appeal and that the decision is final and, if applicable, the circumstances under which the applicant or client may re-apply for services.

12.7 When and how are applicants informed of these rights?

At a minimum, Subrecipients are required to furnish in writing to all applicants a Notice of Denial and Appeal or Notice of Approval within 15 business days of the Application Date, which is defined as the date the application is completed. The Subrecipients fair hearing and appeals process must also be posted in a prominent place where applications are taken. At a minimum, the written Notice of Denial and Appeals shall contain:

1. Name of applicant;
2. Date of application;
3. Type of benefit sought;
4. Reason(s) for denial;
5. Statement on Subrecipients benefit limits, if applicable;

6. Statement of appeals process;
7. Explanation of the circumstances under which the applicant may reapply;
8. Explanation of the information or documentation needed for the applicant to reapply;
9. Name, phone number, and address applicable to the appeal process; and
10. Number of days the applicant has to file the appeal.

The Notice of Approval and Appeals must contain:

1. Type and amount of assistance received;
2. The name of the energy vendor to be paid;
3. The next date when the client will be eligible to apply; and
4. The appeals and fair hearing policy.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 13: Reduction of home energy needs, 2605(b) (16) – Assurance 16

13.1 Describe how you use LIHEAP funds to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance?

Florida Commerce budgets 0.5 percent of its LIHEAP funds for Assurance 16 activities and provides a line item specifically for outreach to eligible households. Energy education and financial/budget counseling are allowable costs under the program.

13.2 How do you ensure that you don't use more than 5 percent of your LIHEAP funds for these activities?

Subrecipient budgets for awarded funding are received and uploaded into Florida Commerce's fiscal system of record, the Subrecipient Enterprise Resource Application (SERA). Within this system, budgeted funding is allocated to specific line items (cost categories) which have safeguards built in to ensure that funding cannot exceed the maximum allowable for each of those cost categories. These safeguards ensure that funding stays within the 5% limitations, regardless of the amount awarded to any given subrecipient.

13.3 Describe the impact of such activities on the number of households served in the previous federal fiscal year.

With activities conducted such as social media posts, posters and flyers, and outreach all conducted by the local LIHEAP subrecipient provider agencies, Florida Commerce has seen a gradual uptick in the number of households that have applied for LIHEAP assistance. This uptick in households applied reflects these activities having a positive impact on LIHEAP program awareness throughout the state.

13.4 Describe the level of direct benefits provided to those households in the previous federal fiscal year.

Not Applicable.

13.5 How many households applied for these services? **Not Applicable.**

13.6 How many households received these services? **Not Applicable.**

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 14: Leveraging Incentive Program, 2607(A)

14.1 Do you plan to submit an application for the leveraging incentive program? Yes No

14.2 Describe instructions to the third parties and/or local agencies for submitting LIHEAP leveraging resource information and retaining records.

Not applicable.

14.3 For each type of resource and/or benefit to be leveraged in the upcoming year that will meet the requirements of 45 C.F.R. § 96.87(d)(2)(iii), describe the following:

Not applicable.

Resource	What is the source(s) of the resource?	How will the resource be integrated and coordinated with the LIHEAP program?

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 15: Training

15.1 Describe the training you provide for each of the following groups:

a. Grantee Staff:

- Formal training on grantee policies and procedures How often?

Annually

Biannually

As needed

Other — describe:

- Employees are provided with a policy manual.

- Other — describe:

Team monitoring trips where new staff members conduct on-site monitoring with seasoned staff members or Program Management staff.

b. Local Agencies:

- Formal training conference
How often?

Annually

Biannually

As needed

Other — describe:

- On-site training

How often?

Annually

Biannually

As needed

Other — describe:

- Employees are provided with policy manual.

- Other — describe:

Subrecipient staff are trained at the local level. Each Subrecipient is required to have a policies and procedures manual and the guidelines for that manual are outlined in the subgrant agreement and the monitoring manual, which is incorporated by reference into the agreement. Florida Commerce staff also provide training and technical assistance as needed, both onsite and via phone/webinar, to local Subrecipients.

c. Vendors

- Formal training conference
How often?

Annually

Biannually

As needed Other — describe:

- Policies communicated through vendor agreements

- Policies are outlined in a vendor manual

- Other — describe: **Meetings with energy vendors to discuss issues pertaining to services and reporting.**

15.2. Does your training program address fraud reporting and prevention? Yes No

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 16: Performance Goals and Measures, 2605(b) Required for States Only

16.1 Describe your progress toward meeting the data collection and reporting requirement of the four required LIHEAP performance measures. Include timeframes and plans for meeting these requirements and what you believe will be accomplished in the coming federal fiscal year.

- **Florida Commerce submitted the 2022 LIHEAP Performance Measures Data Form by the extended deadline of March 1, 2023, to the HHS contractor, Applied Public Policy Research Institute for Study (APPRISE). DEO and APPRISE are currently working together to analyze the data and make necessary policy changes to ensure clients are receiving adequate benefits.**

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 17: Program Integrity, 2605(b) (10)

17.1. Fraud Reporting Mechanisms

a. Describe all mechanisms available to the public for reporting cases of suspected waste, fraud and abuse.

- Online fraud reporting
- Dedicated fraud reporting hotline
- Report directly to local agency/district office or grantee office
- Report to State Inspector General or Attorney General
- Forms and procedures in place for local agencies/district offices and vendors to report fraud, waste and abuse.
- Other — describe:

b. Describe strategies in place for advertising the above-referenced resources.

- Printed outreach materials
- Addressed on LIHEAP application
- Website
- Other — describe:

17.2. Identification Documentation Requirements

Indicate which of the following forms of identification are required or requested to be collected from LIHEAP applicants or their household members.

REQUIRED Type of Identification Collected	Collected from Whom?		
	Applicant Only	All Adults in HH	HH Members Seeking Assistance*
Social Security Card is photocopied and retained	Required <input type="checkbox"/>	Required <input type="checkbox"/>	Required <input type="checkbox"/>
	Requested <input checked="" type="checkbox"/>	Requested <input checked="" type="checkbox"/>	Requested <input checked="" type="checkbox"/>
Social Security Number (without actual card)	Required <input type="checkbox"/>	Required <input type="checkbox"/>	Required <input type="checkbox"/>
	Requested <input checked="" type="checkbox"/>	Requested <input checked="" type="checkbox"/>	Requested <input checked="" type="checkbox"/>
Government-issued identification card (i.e.: driver's license, state ID, Tribal ID, passport, etc.)	Required <input checked="" type="checkbox"/>	Required <input checked="" type="checkbox"/>	Required <input type="checkbox"/>
	Requested <input type="checkbox"/>	Requested <input type="checkbox"/>	Requested <input checked="" type="checkbox"/>

Other	Applicant Only Required	Applicant Only Requested	All Adults in Household Required	All Adults in Household Requested	All Household Members Required	All Household Members Requested
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Describe any exceptions to the above policies:

There may be cases where a Social Security Number is not obtainable. In these cases, other approved third-party verifiable documents are acceptable.

17.3. Identification Verification

Describe what methods are used to verify the authenticity of identification documents provided by clients or household members.

- Verify SSNs with Social Security Administration.
- Match SSNs with death records from Social Security Administration or state agency.
- Match SSNs with state eligibility/management system (e.g., SNAP, TANF).
- Match with state Department of Labor system.
- Match with state and/or federal corrections system.
- Match with state child support system.
- Verification using private software (e.g., The Work Number).
- In-person certification by staff.
- Match SSN/Tribal ID number with tribal database.
- Other — describe:

Some, but not all, Subrecipients have access to third party verification systems.

17.4. Citizenship/Legal Residency Verification

What are your procedures for ensuring that household members are U.S. citizens or aliens who are qualified to receive LIHEAP benefits?

- Clients sign an attestation of citizenship or legal residency.
- Clients' submission of Social Security cards is accepted as proof of legal residency.
- Noncitizens must provide documentation of immigration status.
- Citizens must provide a copy of their birth certificate, naturalization papers or passport.
- Noncitizens are verified through the SAVE system.
- Tribal members are verified through Tribal database/Tribal ID card.
- Other — describe:

17.5. Income Verification

What methods does your agency utilize to verify household income?

- Require documentation of income for all adult household members
 - Pay stubs
 - Social Security award letters
 - Bank statements
 - Tax statements
 - Zero income statements
 - Unemployment Insurance Letters
 - Other — describe:

- Computer data matches:
 - Income information matched against state computer system (e.g., SNAP, TANF).
 - Proof of unemployment benefits verified with state Department of Labor.
 - Social Security income verified with SSA.
 - Utilize state directory of new hires.
 - Other — describe:

17.6. Protection of Privacy and Confidentiality

Describe the financial and operating controls in place to protect client information against improper use or disclosure. Select all that apply.

- Policy in place prohibiting release of information without written consent
- Grantee LIHEAP database includes privacy/confidentiality safeguards
- Employee training on confidentiality for:
 - Grantee employees
 - Local agencies/district offices
- Employees must sign confidentiality agreement
 - Grantee employees
 - Local agencies/district offices
- Physical files are stored in a secure location
- Other — describe:
Each provider agency is required to have a policy addressing the confidentiality and security of client records, both paper and electronic.

17.7. Verifying the Authenticity of Energy Vendors

What policies are in place for verifying vendor authenticity? Select all that apply.

- All vendors must register with the state.
- All vendors must supply a valid SSN or TIN/W-9 form.
- Vendors are verified through energy bills provided by the household.
- Grantee and/or local agencies/district offices perform physical monitoring of vendors.
- Other — describe and note any exceptions to policies above:
All energy vendors must be verified through the System for Award Management (SAM.gov) and cannot be on the debarred vendor listing.

17.8. Benefits Policy — Gas and Electric Utilities

What policies are in place to protect against fraud when making benefit payments to gas and electric utilities on behalf of clients? Select all that apply.

- Applicants required to submit proof of physical residency
- Applicants must submit current utility bill
- Data exchange with utilities that verifies:
 - Account ownership
 - Consumption
 - Balances
 - Payment history
 - Account is properly credited with benefit
 - Other — describe:
- Centralized computer system/database tracks payments to all utilities.
- Centralized computer system automatically generates benefit level.
- Separation of duties between intake and payment approval.
- Payments coordinated among other heating assistance programs to avoid duplication of payments.
- Payments to utilities and invoices from utilities are reviewed for accuracy.
- Computer databases are periodically reviewed to verify accuracy and timeliness of payments made to utilities.
- Direct payment to households are made in limited cases only.
- Procedures are in place to require prompt refunds from utilities in cases of account closure.
- Vendor agreements specify requirements selected above and provide enforcement mechanism.
- Other — describe:

17.9. Benefits Policy — Bulk Fuel Vendors

What procedures are in place for averting fraud and improper payments when dealing with bulk fuel suppliers of heating oil, propane, wood, and other bulk fuel vendors? Select all that apply.

- Vendors are checked against an approved vendor list.
- Centralized computer system/database is used to track payments to all vendors.
- Clients are relied on for reports of non-delivery or partial delivery.
- Two-party checks are issued naming client and vendor.
- Direct payment to households are made in limited cases only.
- Vendors are only paid once they provide a delivery receipt signed by the client.
- Conduct monitoring of bulk fuel vendors.
- Bulk fuel vendors are required to submit reports to the Grantee.
- Vendor agreements specify requirements selected above, and provide enforcement mechanism.

Other — describe:

17.10. Investigations and Prosecutions

Describe the grantee's procedures for investigating and prosecuting reports of fraud and any sanctions placed on clients/staff/vendors found to have committed fraud. Select all that apply.

- Refer to state Inspector General.
- Refer to local prosecutor or state Attorney General.
- Refer to US DHHS Inspector General (including referral to OIG hotline).
- Local agencies/district offices or grantee conduct investigation of fraud complaints from public.
- Grantee attempts collection of improper payments. If so, describe the recoupment process.
If fraud is discovered in regard to client benefits, Florida Commerce will detail the finding in a report to the Subrecipient and require the Subrecipient to refund the disallowed costs to Florida Commerce. The Subrecipient will then attempt to recoup the funds from the client.

- Clients found to have committed fraud are banned from LIHEAP assistance. For how long is a household banned? **Decided by Subrecipient**
- Contracts with local agencies require that employees found to have committed fraud are reprimanded and/or terminated.
- Vendors found to have committed fraud may no longer participate in LIHEAP.
- Other — describe:
Florida Commerce requires each subrecipient to carry insurance/fidelity bonds that cover employee theft.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 18: Certification Regarding Debarment, Suspension, and Other Responsibility Matters

Certification Regarding Debarment, Suspension, and Other Responsibility Matters — Primary Covered Transactions

Instructions for Certification:

- 1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.*
- 2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to*

furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension and Other Responsibility Matters — Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded by any federal department or agency;

(b) Have not, within a three-year period preceding this proposal, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (federal, state or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion — Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other

remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, [Page 33043] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible or voluntarily excluded from participation in this transaction, in addition to other remedies

available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion — Lower Tier Covered Transactions

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

By checking this box, the prospective primary participant is providing the certification set out above.

Section 19: Certification Regarding Drug-Free Workforce Requirements

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645(a)(1) and (b) provide that a Federal agency may designate a central receipt point for state-wide and state agency-wide certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

Certification Regarding Drug-Free Workplace Requirements (Instructions for Certification)

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.

2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

3. For grantees other than individuals, Alternate I applies.

4. For grantees who are individuals, Alternate II applies.

5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information

available for federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.

6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or state highway department while in operation, state employees in each local unemployment office, performers in concert halls or radio studios).

7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).

8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

Controlled substance means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes;

Criminal drug statute means a federal or non-federal criminal statute involving the manufacture, distribution, dispensing, use or possession of any controlled substance;

Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

Certification Regarding Drug-Free Workplace Requirements

Alternate I. (Grantees Other Than Individuals)

The grantee certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such

prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about —

- (1) The dangers of drug abuse in the workplace;
- (2) The grantee's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations

occurring in the workplace;

c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

- (1) Abide by the terms of the statement; and
- (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within 10 calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted —

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

(b) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Florida Department of Commerce,

Bureau of Economic Self-Sufficiency,

107 East Madison Street, MSC - 400

Tallahassee, Florida 32399-4120

Check if there are workplaces on file that are not identified here.

Alternate II. (Grantees Who Are Individuals)

(a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in conducting any activity with the grant;

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

[55 FR 21690, 21702, May 25, 1990]

By checking this box, the prospective primary participant is providing the certification set out above.

Section 20: Certification Regarding Lobbying

The submitter of this application certifies, to the best of his or her knowledge and belief, that:

(1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a member of Congress, an officer or employee of Congress or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any federal contract, grant, loan or cooperative agreement.

(2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

By checking this box, the prospective primary participant is providing the certification set out above.

Assurances

The **Florida Department of Commerce** agrees to:

(Grantee Name)

(1) Use the funds available under this title to —

(A) Conduct outreach activities and provide assistance to low-income households in meeting their home energy costs, particularly those with the lowest incomes that pay a high proportion of household income for home energy, consistent with paragraph (5);

(B) Intervene in energy crisis situations;

(C) Provide low-cost residential weatherization and other cost-effective energy-related home repair; and

(D) Plan, develop and administer the state's program under this title including leveraging programs, and the state agrees not to use such funds for any purposes other than those specified in this title;

(2) Make payments under this title only with respect to —

(A) Households in which one or more individuals are receiving —

(i) Assistance under the state program funded under part A of title IV of the Social Security Act;

(ii) Supplemental Security Income (SSI) payments under title XVI of the Social Security Act;

(iii) Food stamps under the Food Stamp Act of 1977; or

(iv) Payments under section 415, 521, 541, or 542 of title 38, United States Code, or under section 306 of the Veterans' and Survivors' Pension Improvement Act of 1978; or

(B) Households with incomes which do not exceed the greater of —

(i) An amount equal to 150 percent of the poverty level for such state; or

(ii) An amount equal to 60 percent of the state median income;

Except that a state may not exclude a household from eligibility in a federal fiscal year solely on the basis of household income if such income is less than 110 percent of the poverty level for such state, but the state may give priority to those households with the highest home energy costs or needs in relation to household income.

(3) Conduct outreach activities designed to assure that eligible households, especially households with elderly individuals or disabled individuals, or both, and households with high home energy burdens, are made aware of the assistance available under this title and any similar energy-related assistance available under subtitle B of title VI (relating to community services block grant program) or under any other provision of law, which carries out programs administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

(4) Coordinate its activities under this title with similar and related programs administered by the Federal Government and such state, particularly low-income energy-related programs under subtitle B of title VI (relating to community services block grant program), under the supplemental security income program, under part A of title IV of the Social Security Act, under title XX of the Social Security Act, under the low-income weatherization assistance program under title IV of the Energy Conservation and Production Act, or under any other provision of law that carries out programs administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

(5) Provide, in a timely manner, that the highest level of assistance will be furnished to those households which have the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size, except that the state may not differentiate in implementing this section between the households described in clauses 2(A) and 2(B) of this subsection;

(6) To the extent, it is necessary to designate local administrative agencies in order to carry out the purposes of this title, to give special consideration, in the designation of such agencies, to any local public or private nonprofit agency that was receiving federal funds under any low-income energy assistance program or weatherization program under the Economic Opportunity Act of 1964 or any other provision of law on the day before the date of the enactment of this Act, except that—

(A) The state shall, before giving such special consideration, determine that the agency involved meets program and fiscal requirements established by the state; and

(B) If there is no such agency because of any change in the assistance furnished to programs for economically disadvantaged persons, then the state shall give special consideration in the designation of local administrative agencies to any successor agency that is operated in substantially the same manner as the predecessor agency which did receive funds for the federal fiscal year preceding the federal fiscal year for that the determination is made;

(7) If the state chooses to pay home energy suppliers directly, establish procedures to —

(A) Notify each participating household of the amount of assistance paid on its behalf;

(B) Assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment made by the state under this title;

(C) Assure that the home energy supplier will provide assurances that any agreement entered into with a home energy supplier under this paragraph will contain provisions to assure that no household receiving assistance under this title will be treated adversely because of such assistance under applicable provisions of state law or public regulatory requirements; and

(D) Ensure that the provision of vendor payments remains at the option of the state in consultation with local grantees and may be contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households, including providing for agreements between suppliers and individuals eligible for benefits under this Act that seek to reduce home energy costs, minimize the risks of home energy crisis and encourage regular payments by individuals receiving financial assistance for home energy costs;

(8) provide assurances that —

(A) The state will not exclude households described in clause (2)(B) of this subsection from receiving home energy assistance benefits under clause (2), and

(B) The state will treat owners and renters equitably under the program assisted under this title;

(9) provide that —

(A) The state may use, for planning and administering the use of funds under this title an amount not to exceed 10 percent of the funds payable to such state under this title for a federal fiscal year; and

(B) The state will pay from non-federal sources the remaining costs of planning and

administering the program assisted under this title and will not use federal funds for such remaining cost (except for the costs of the activities described in paragraph (16));

(10) Provide that such fiscal control and fund accounting procedures will be established as may be necessary to assure the proper disbursement of and accounting for federal funds paid to the state under this title, including procedures for monitoring the assistance provided under this title, and provide that the state will comply with the provisions of chapter 75 of title 31, United States Code (commonly known as the "Single Audit Act");

(11) Permit and cooperate with federal investigations undertaken in accordance with section 2608;

(12) Provide for timely and meaningful public participation in the development of the plan described in subsection (c);

(13) Provide an opportunity for a fair administrative hearing to individuals whose claims for assistance under the plan described in subsection (c) are denied or are not acted upon with reasonable promptness; and

(14) Cooperate with the Secretary with respect to data collecting and reporting under section 2610.

*(15) * Beginning in federal fiscal year 1992, provide, in addition to such services as may be offered by State Departments of Public Welfare at the local level, outreach and intake functions for crisis situations and heating and cooling assistance that is administered by additional state and local governmental entities or community-based organizations (such as community action agencies, area agencies on aging and not-for-profit neighborhood-based organizations), and in states where such organizations do not administer functions as of September 30, 1991, preference in awarding grants or contracts for intake services shall be provided to those agencies that administer the low-income weatherization or energy crisis intervention programs.*

** This assurance is applicable only to states, and to territories whose annual regular LIHEAP allotments exceed \$200,000. Neither territories with annual allotments of \$200,000 or less nor Native American tribes/tribal organizations are subject to Assurance 15.*

(16) Use up to five percent of such funds, at its option, to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance, including needs assessments, counseling and assistance with energy vendors and report to the Secretary concerning the impact of such activities on the number of households served, the level of direct benefits provided to those households and the number of households that remain unserved.

Certification to the Assurances: As Chief Executive Officer, I agree to comply with the sixteen assurances contained in Title XXVI of the Omnibus Budget Reconciliation Act of 1981, as

amended. * By signing these assurances, I also agree to abide by the standard assurances on lobbying, debarment and suspension and a drug-free workplace.

Signature of the Tribal or Board Chairperson or Chief Executive Officer of the State or Territory. **

Signature:

Meredith Ivey

Title:

Deputy Secretary, Division of Community Development

Florida Department of Commerce

Date:

* Native American tribes/tribal organizations, and territories with annual regular LIHEAP allotments of \$200,000 or less, are not subject to assurance 15, and thus must only certify to 15 assurances.

** If a person other than the Chief Executive Officer of the state or territory, or Tribal Chairperson or Board Chairperson of a tribal organization, is signing the certification to the assurances, a letter must be submitted delegating such authority. (ATTACH DELEGATION of AUTHORITY.) The delegation must include authority to sign the assurances, not just to administer the program.

*** HHS needs the EIN (Entity Identification Number) of the state, territory or Tribal agency that is to receive the grant funds before it can issue the grant.

In the above assurances, which are quoted from the law, "State" means the 50 States, the District of Columbia, a Native American Tribe or Tribal Organization or a Territory; "title" of the Act refers to Title XXVI of the Omnibus Budget Reconciliation Act of 1981 (OBRA), as amended, the "Low-Income Home Energy Assistance Act"; "section" means Section 2605 of OBRA; and, "subsection" refers to Section 2605(b) of OBRA.