

Homelessness and Food Stamps: Rights and Barriers

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Homeless people have all the same rights under the food stamp program as people who are housed. They also have a few additional rights and some provisions of food stamp law particularly affect homeless people.

Common barriers that homeless people face to receiving food stamps:

- Transportation
- Lack of knowledge about the program
- Mental illness
- Lack of a mailing address to receive notices and other information from the food stamp office
- Lack of documentation

Definition of homeless under the food stamp program

You are considered “homeless” under the Food Stamp Program if you:

- (1) have no fixed, regular place you sleep at night or;
- (2) the place you sleep at night is one of the following:
 - (a) a shelter (which includes a welfare hotel or congregate shelter)
 - (b) a half-way house
 - (c) the home of someone else if you are there less than 90 days
 - (d) a place where people do not usually sleep such as a doorway, a lobby, a bus station, a hallway, or a subway. 7 C.F.R. § 271.2 (definition of “homeless individual”)

This is a relatively broad definition of homeless.

Eligibility

- Food stamp applicants DO NOT need a permanent address or a mailing address to receive food stamps

- Food stamp applicants who live in a nonprofit homeless shelter or domestic violence shelter CAN get food even if the shelter provides meals.

Where can homeless people use their food stamps?

- The same grocery stores and other participating retailers where all food stamp participants can use their food stamps to purchase food
- Certain authorized homeless shelters or other authorized homeless “meal providers”
- Certain restaurants. Homeless food stamp participants are able to use their food stamps at certain authorized restaurants. Homeless clients are given a special ID for this purpose.

How can homeless people verify their residence?

- Food stamp caseworkers are required to verify the residence of food stamp applicants
- Homeless people, however, are NOT required to verify their residence

How can homeless people verify their identity?

- Food stamp caseworkers are required to verify the identity of food stamp applicants
- There are many ways to verify identity. A photo ID is only way. Other methods of documenting identity include a birth certificate, pay stubs, an ID from another social service program, and school records.
- Clients that have no way to document who they are can use a “collateral contact.” A collateral contact is someone who knows the client and can verify certain information. Examples of possible collateral contacts include employers, shelter workers, and employees from service agencies.
- Food stamp applicants SHOULD NOT be denied food stamps solely because they lack a photo ID.

Homeless shelter deduction

- The homeless shelter deduction allows people who are homeless but who have incurred housing costs to deduct \$143 from their income
- Clients who can document shelter costs should use the standard shelter deduction if they will receive a larger food stamp allotment doing so.
- The homeless shelter deduction is a state option. Not all states use it.

- The Farm Bill of 2002 made it easier for states to utilize the homeless shelter deduction. States formerly had to document the average amount spent by a homeless person on shelter to use the deduction. States no longer have to do that. They can now simply inform USDA that they want to utilize the deduction. Advocates should encourage their state to implement the homeless shelter deduction if it does not currently use it.

Help with receiving benefits

- Food stamp offices are required to have procedures that serve homeless persons. 7 C.F.R. § 273.2(a).
- Food stamp offices should provide “assistance” to people who are homeless with receiving their benefits. 7 C.F.R. § 274.2(a).

What to do if there has been a violation of food stamp law in your area

- For an individual client/isolated incident:
 - Talk with the caseworker
 - Talk with the supervisor
 - Have client ask for a fair hearing, if needed.
- If there is a systematic violation of food stamp law (a pattern and practice/it comes up again and again):
 - Mobilize other advocates and send a letter and/or set up a meeting with the food stamp administrator for your area – if it is county-wide problem, for example, contact the county FS administrator. If it is a state-wide problem, for example, contact the state food stamp director
 - If local advocacy is unsuccessful, contact a national advocacy organization such as the National Law Center on Homelessness and Poverty (202) 638-2535 ext. 205 or the Welfare Law Center (212) 633-6967

Suggestions for how YOU can make a difference

- Advocate that your state utilize the homeless shelter deduction
- Monitor compliance with food stamp law in your area
- Apply for USDA outreach funding that targets homeless populations

- Help distribute food stamp informational materials to service providers in your area