

Legal Assistance of Western New York, Inc. ®



We provide free legal aid to people with civil legal problems in western New York.

www.lawny.org

What You Should Know About Emergency Assistance and the Department of Social Services

If you have an emergency and cannot afford to solve the problem, your local Department of Social Services (DSS) may be able to help. You DO NOT need to be eligible for public assistance to get emergency assistance.

What is an emergency DSS can help with?

- You have little or no food.
- You have no place to stay.
- You are facing eviction.
- You are facing foreclosure.
- You have no fuel for heating during the cold weather period.
- You have a notice of utility shut off within 72 hours.
- Your utilities have been shut off.
- You lack items necessary to meet your household's health and safety needs, and there are no resources available to meet the emergency.

What emergency assistance is available?

- Expedited food stamps and/or food vouchers.
- Payment of rent, mortgage or property tax arrears.
- Payment of storage, moving expenses, security deposits to prevent homelessness.
- Temporary housing assistance.
- Payment to utility or to a fuel company to get or keep utilities on.
- Repairs to property you own that are important to health or safety.
- Replacement of clothing or furnishings lost in a fire, flood or other catastrophe
- Emergency child care.
- Help with transportation.
- Referral to community agencies who can help.

How do I get emergency assistance?

How you get emergency assistance will depend on if you receive public assistance.

If you don't receive public assistance now:

You must fill out an application at your county DSS. It is a good idea to get there as early in the morning as possible. Tell the person at the window what kind of emergency you are having and ask to fill out an application for Emergency Assistance.

If you receive public assistance now:

Contact your caseworker. You do not need to fill out an application.

What do I need to bring with me when I apply for emergency assistance?

- Identification for everyone in your household
- Proof of your income, resources and expenses
- Proof of the emergency such as a utility shut-off notice, or an eviction notice

What is DSS supposed to do when I apply?

DSS must see you the same day you apply or schedule an appointment in time to deal with the emergency. They must give you a notice that day about what they are going to do about the emergency. They are supposed to help you in getting necessary proof if you show them you have made reasonable efforts to get proof on your own.

What if DSS denies my application or does nothing?

You can ask for a Fair Hearing. If you get a notice, it will explain how to request a Fair Hearing. You do not need a notice to request a hearing. If you have an emergency, you should ask for an "expedited" Fair Hearing, which means it will be scheduled as soon as possible. See the [Fair Hearing](#) article for more information.

Legal Help

If you have an emergency and DSS will not help, you can contact your local legal services office for possible help in challenging DSS's decision. The notice from DSS should have contact information for legal assistance in your area.

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This article provides general information about this subject. Laws affecting this subject may have changed since this article was written. For specific legal advice about a problem you are having, get the advice of a lawyer. Receiving this information does not make you a client of our office.

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