



ADMINISTRATIVE RULES OF MONTANA



37.70.110 FRAUD/TRANSFER OF RESOURCES

- (1) A person who knowingly obtains LIHEAP benefits to which he or she is not entitled by means of a purposely or knowingly false statement, representation, impersonation, or other fraudulent device is guilty of theft as provided in 45-6-301, MCA, and is ineligible for assistance for the entire current heating season.
- (2) Resale or transfer of benefits to another person is expressly prohibited.
- (3) Fuel vendors may not retain benefits of households who have discontinued service.
- (4) Fuel assistance will not be granted to a person who has deprived himself or herself, directly or indirectly, of any resources for the purpose of qualifying for assistance. A person who has transferred resources or interest in resources within one year of application without receiving adequate consideration in money or money's worth will be presumed to have made such transfer for the purpose of qualifying for assistance.
 - (a) A person may submit evidence that he or she did not make the transfer of resources to qualify for LIHEAP benefits.
 - (b) It is the responsibility of the person to submit this evidence.

Authorizing statute(s): 53-2-201, MCA

Implementing statute(s): 53-2-201, MCA

History: NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1984 MAR p. 1481, Eff. 10/12/84; AMD, 1985 MAR p. 1412, Eff. 9/27/85; AMD, 1990 MAR p. 1959, Eff. 10/26/90; TRANS, from SRS, 1998 MAR p. 2059; AMD, 2002 MAR p. 3635, Eff. 11/28/02; AMD, 2004 MAR p. 1026, Eff. 4/23/04; AMD, 2015 MAR p. 2145, Eff. 12/11/15; AMD, 2019 MAR p. 2383, Eff. 12/28/19; AMD, 2023 MAR p. 480, Eff. 5/27/23.