



ADMINISTRATIVE RULES OF MONTANA



37.70.305 APPLICATION

- (1) Except as provided in (4), a new application for LIHEAP benefits must be made for each new heating season and when a household moves to a different residence during the heating season.
- (2) The application form may be submitted to the local contractor's office.
- (3) An application for LIHEAP benefits must be filed during the heating season for which assistance is being sought, that is, between October 1 and April 30, except as provided in (4). If April 30 falls on a weekend or holiday observed by Montana state government, the local contractor must accept applications on the next business day after the weekend or holiday. However, at the option of the department, a household's application for certain types of deliverable heating fuel which are sold at lower prices during the summer months or for emergency services may be filed prior to October 1 of the heating season for which a household is seeking assistance. In the case of households who use other types of fuel and who are not seeking emergency services, the department may in its discretion accept applications prior to October 1.
- (4) Publicly subsidized housing households whose energy costs are included as a fixed portion of their rent, or households that reside in publicly subsidized housing and have an obligation to pay a base-load electric bill, are not eligible for a regular LIHEAP benefit computed using the benefit matrices and multipliers in the LIHEAP Benefit Award Matrix and Table of Multipliers for the current heating season. However, these households are eligible for weatherization assistance as provided in ARM Title 37, chapter 71 and a modified LIHEAP benefit. The modified LIHEAP benefit is equal to five percent of the amount of a regular LIHEAP benefit computed using the benefit matrices and multipliers in ARM 37.70.601 or a minimum payment of \$25, whichever is greater, paid to the household annually. Households determined eligible for the modified LIHEAP benefit whose economic and housing situation does not change are eligible for a period of five years.
- (5) Households residing in publicly subsidized housing that move into nonsubsidized housing during the five-year eligibility period may reapply for a prorated benefit for the current heating season based on the household's new circumstances as provided in ARM 37.70.602. The household may file a new application for each subsequent heating season as long as the household lives in nonsubsidized housing, as provided in (1).
- (6) Households residing in publicly subsidized housing that move to another publicly subsidized housing unit during the five-year eligibility period may file a new application for a modified LIHEAP benefit for another five-year period, which will run from the date of the new application, if the household's energy costs are included as a portion of its rent or if it has an obligation to pay a base-load electric bill.
- (7) No household or any of its members will be discriminated against on the basis of race, color, religion, sex, culture, age, creed, marital status, physical or mental disability, political beliefs, or

national origin. This includes discrimination which affects participation in LIHEAP and benefit amount.

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, 1982 MAR p. 1771, Eff. 10/1/82; AMD, 1985 MAR p. 1412, Eff. 9/27/85; AMD, 1993 MAR p. 2437, Eff. 10/15/93; TRANS, from SRS, 1998 MAR p. 2059; AMD, 2001 MAR p. 2037, Eff. 10/12/01; AMD, 2002 MAR p. 3635, Eff. 11/28/02; AMD, 2005 MAR p. 2078, Eff. 10/28/05; AMD, 2007 MAR p. 974, Eff. 7/6/07; AMD, 2011 MAR p. 108, Eff. 1/28/11; AMD, 2015 MAR p. 2145, Eff. 12/11/15; AMD, 2018 MAR p. 108, Eff. 1/13/18; AMD, 2018 MAR p. 1886, Eff. 9/22/18; AMD, 2019 MAR p. 2383, Eff. 12/28/19; AMD, 2020 MAR p. 1844, Eff. 10/10/20; AMD, 2021 MAR p. 1060, Eff. 10/1/21; AMD, 2023 MAR p. 480, Eff. 5/27/23.