

# Solid Waste Low Income Program Guidelines

## I. Mission Statement

One of the missions of the residential curbside program in the Solid Waste Department is to help qualifying low-income households afford mandatory Solid Waste Service.

## II. Program Summary

Bernalillo County Solid Waste Department provides low-income assistance for qualifying customers residing in Bernalillo County by reducing the quarterly bill. The Solid Waste Low-Income Program staff determines eligibility based on income guidelines provided by U.S. Department of Housing and Urban Development (HUD). These guidelines are revised annually by HUD and can be found at [www.HUD.gov](http://www.HUD.gov).

## III. Program Eligibility Criteria

**A. Occupancy** - In order to be eligible to receive assistance from the Solid Waste Low Income Program the applicant(s) must occupy the residence receiving Solid Waste Service. Acceptable sources of verification of occupancy are:

1. Current Drivers License with the residence address listed.
2. Current filed Federal personal income tax forms or SSI Benefit statement form(s) with the residence address listed.
3. Utility bill (other than Waste Management), Rental Agreement, or other documents that verify applicant(s) occupy the residence.

**B. Residential Classification** - Single family units, single family detached residences, mobile homes and duplexes are eligible. The eligible residences cannot be located on a commercially zoned lot. Commercial, retail businesses, offices, hotels, motels and shopping centers are INELIGIBLE for assistance through the Solid Waste Low Income Program. If there is a current business license for the property to be served by the Solid Waste Low Income Program, OR the property occupant claims business expense deductions for utilities, mortgage, square footage utilized for business activities, or depreciation of the property for business activities, the property is NOT eligible.

**C. Financial Criteria** – The Solid Waste Low Income Program staff determines economic need based upon current HUD guidelines. Eligible households are required to have a gross annual income at or less than 50% as stipulated in HUD guidelines. Income guidelines are updated annually by HUD. The household's income is based on the **GROSS** (taxable and non-taxable income) amount of their most recent federal income tax form, SSI benefit form, or other year end/monthly statement.

**1. Acceptable Documentation** – Acceptable proof of income is any combination of the following:

**a. Most recent complete federal income tax return. If federal taxes are not filed the following will be accepted:**

- W-2's or 1099's.
- Year-end statement(s) from Social Security, Pensions, Interest Income or Unemployment Compensation.
- Income verification letter from the Internal Revenue Service and documentation of unearned income such as Social Security. This information is required for all household members receiving income.
- Additional information may be required as supporting documentation.

**2. Definition of Income** – Total annual income before taxes from all household members residing in the residence. Income includes wages and salaries before any deductions.

**a. Income Includes** – Unearned Income (award letters for unemployment compensation, VA Pension, Railroad Retirement and similar benefits; child support and alimony received, contribution check and the like).

Regular payments from social security, railroad compensation, veteran's payments, training stipends, alimony, and military family allotments or other regular support from an absent family member or someone not living in the household; private pensions, government employee pensions (including military retirement pay), and regular insurance or annuity payments; dividends, interest, net rental income, net royalties, periodic receipts from estates or trust, and net gambling or lottery winnings.

**b. Income Does NOT Include** - Income does not include the following types of money received: capital gains; any assets drawn down as withdrawals from a bank, the sale of property, a house or a car; one-time payments from a welfare agency to a family or person who is in temporary financial difficulty; tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury. Also excluded are non-cash benefits, such as the employer-paid or union-paid portion of health insurance or other employee fringe benefits, food or housing received in lieu of wages, the value of food and fuel produced and consumed on farms, in imputed value of rent from owner-occupied non-farm or farm housing, and such Federal non-cash benefit programs such as Medicare, Medicaid, Food Stamps, school lunches, and housing assistance.

**3. Determination of Family Size** – Family size will be determined by the number of persons residing in the household, as documented by the most recent federal income tax return and other information if required to clarify the number of household members.

## IV. County Application Procedures

**A. Assistance** - Bernalillo County Solid Waste Department offers two levels of low income discounts to qualifying customers. Depending on household size and income the most discounts you may qualify for on a 3 month bill will be a 72% reduction. The second level of discounts you may qualify for on a 3 month bill will be a 43% reduction.

**B. Limitation of Funds** - The number of households eligible to receive low income assistance may exceed the number of households for which funding is available. Households shall be placed on a waiting list in the order that the application was received and determined complete.

### C. Application Process

1. The applicant must provide proof of income, residence and social security numbers for all household members. If a household member does not have a social security number then a valid identification card must be provided.
2. Information brought in by the applicant will be copied by a Solid Waste Department staff member and kept on file.
3. The application will be completed and reviewed by the applicant and the Solid Waste staff member to ensure the application is complete and accurate.
4. A valid UPC # is required to complete the application.
5. The Solid Waste Low Income Program is explained to the applicant and they are made aware of their responsibilities as a Solid Waste Low Income Program participant.
6. The applicant is informed that the application must be renewed yearly before March 31<sup>st</sup>.

**D. Penalties** - Providing fraudulent information or failure to disclose all income and household member information is illegal and the household will lose benefits, be subject to other legal action, and/or responsible for repayment of the discount.

**E. Restrictions** - These discounts will only apply to the first trash cart on the account. Any additional carts will not be eligible to receive discounts. First time qualified applicants with a past due balance may apply for retroactive low income discount. The retroactive discount will not exceed the lesser of: the last date the account was at a 0 (zero) balance or the 4-year maximum. The retroactive discount will not leave a credit on the account but it will reduce the outstanding amount due.

### F. Calculation of Income

1. When submitting a completed copy of the Federal Tax return, income is calculated by adding the total **GROSS** income in the income section of any 1040 and/or applicable Schedule(s). Income is not determined by the Federal Adjusted Gross Income.

2. Federal Tax returns must be submitted if you have any business or rental income. If there is no business or rental income and a Federal Tax return is not submitted the following forms will need to be submitted:
  - a. W-2 and/or 1099-R and/or 1099-G and/or 1099-DIV box 1 will be used for total income.
  - b. 1099-MISC Box 7 and/or Box 3 will be used.
  - c. SSA-1099 box 3 will be used for total income.
  - d. If submitting an award letter your total income will be the monthly amount before deductions multiplied by 12 or the weekly amount before deductions multiplied by 52.
3. Previous year's income is used to determine current years discount. Any changes during the current year (e.g. loss of job or change in household size) will be reviewed during the next renewal process.

**G. Notice of Approval or Denial** – Written notice of the application determination will be sent to the applicant within 2 weeks of the application being deemed complete.

**H. Yearly Renewal** – The discount period for approved applications is valid until March 31<sup>st</sup> of each year. The occupants of the qualifying residence must renew the application with current dated income and household social security numbers before March 31<sup>st</sup> of each year.

**I. Failure to renew** – If a low income application is not renewed by the deadline the household solid waste account will be removed from the program as of April 1<sup>st</sup>. The applicant(s) must submit a new application and the discount will **not** be applied to the account until the approval date of the new application. There will be no retroactive credit for failure to renew the low income application on time.

## V. Reminder of Applicant's Responsibilities

**A. Renew** – It is the applicant's responsibility to provide requested renewal information before the deadline each year. Failure to renew the low income application by the deadline will result in the removal of the household solid waste account from the low income program as of April 1<sup>st</sup>. The applicant must submit a new application and the discount will **not** be applied to the account until the approval date of the new application. There will be no retroactive credit for failure to renew on time.

### B. Reporting of information

1. The applicant must certify that the information provided in the application is true and correct as of the date set forth opposite their signature on the application, and must acknowledge their understanding that any intentional or negligent misrepresentation(s) of the information contained in the application may result in civil liability and/or criminal penalties.
2. The applicant must acknowledge that the County may conduct computer-matching programs in order to verify the information that the applicant provided.

3. By applying to the Solid Waste Low Income Program the applicant authorizes Bernalillo County to verify and/or investigate all statements on the application to determine their accuracy and agree to hold Bernalillo County harmless for any liability that could arise in the investigation or verification of such information.
4. All information submitted on an application with or without applicant's signature will be considered true, accurate and complete.