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# Residency

## 900 RESIDENCY

## 910 ELIGIBILITY REQUIREMENT

### 910.1 Residence

Households must live in Nevada to be eligible for benefits. A permanent dwelling or fixed residence is not required;

However, a Nevada address at which the household can receive mail must be provided.

SNAP households are not required to have a fixed mailing address.

#### For Victims of Domestic Violence:

- Victims of Domestic Violence approved for a fictitious address receive a letter from the Secretary of State's Office containing an individual authorization code and substitute mailing address. Request and keep a copy of this letter in the case file for verification. Request the individual to provide a statement from the domestic violence advocacy group to verify a pending CAP application.

State Law NRS 217 allows victims of domestic violence to protect their location by applying for a fictitious address through the Secretary of State's Office Confidential Address Program (CAP). Anyone requesting to apply for this protection is referred to their local community domestic violence advocacy group. Local advocacy group staff will explain CAP and complete a domestic violence assessment. When advocacy group staff determine CAP is appropriate for the victim, they assist the victim in completing the application process, and forward the application and referral to the Secretary of State's Office. When an advocacy group has submitted a CAP application to the Secretary of State's Office or a victim has been approved for CAP, the Division of Welfare and Supportive Services (DWSS) must not require the person to provide their actual physical address. When the participant's assessment, plan, and related narratives are in OASIS, the case manager **MUST** maintain the assigned CAP address. The actual known residence address **MUST** not be entered into the OASIS system. Persons pending a determination for CAP may use an alternative address (i.e., friend, relative or shelter address). Victims of Domestic Violence approved for CAP can use the fictitious address assigned by the Secretary of State's Office.

**910.2 Intent to Reside**

People living in Nevada with the intention of making the state their home, or entering Nevada with a job commitment or seeking employment, meet the residency requirement.

Temporary absence from the state with subsequent return to the state, or intent to return when the purpose of the absence has been accomplished, is allowed and **may** not cause loss of residency. The household is responsible for receiving mail and cooperating by providing all information needed to establish or continue eligibility. See manual section A-300 for allowable absences.

Households living in Nevada for **any purpose other than vacation**, regardless of the length of time they have been here or plan to stay, meet the residency requirement.

Households applying for SNAP benefits are not required to reside in a permanent dwelling or have a fixed mailing address. The client's statement is sufficient verification the household is residing in the State of Nevada for any reason other than vacation.

Temporary household absences are allowed, e.g., vacationing with friends/relatives or staying in a training institution, etc. However, a determination of the duration of the absence must be made. A household will remain eligible as long as residency has been maintained. **For example:** A school teacher works from September to June. In June the teacher travels out of state to visit family and will not return until August. The teacher maintains their physical residence and does not apply for assistance in the other state. Eligibility for this household continues as Nevada residency has not been terminated.

A person convicted in federal or state court, **upon prosecution by the state agency**, or found by the state agency of fraudulently misrepresenting residence to receive multiple **TANF or SNAP** benefits simultaneously from two or more states is ineligible for 10 years.

**920 VERIFICATION OF RESIDENCY**

Determine if the household intends to remain in Nevada at each application and review of eligibility.

Residency must be verified at each application, anytime a household reports a move, the agency discovers they have moved or the place of residence becomes questionable. At the annual review of eligibility, previous verification regarding residency can be pulled forward if the household has not reported or the agency has **not** been made aware of a new address.

Homeless households are not required to have a fixed place of residence, but must have a mailing address.

Verify residency at application/each recertification. Previous verification regarding residency can be pulled forward at recertification if the household has not reported a new address.

**921 POSTPONED VERIFICATION**

Postpone residency verification if necessary to meet expedited service time frames.

**922 HOW TO VERIFY RESIDENCY**

Accept the **household's** statement **as proof of residency and their** intent to reside in Nevada.

**930 MOVES WITHIN THE STATE**

**Households can retain their residency status when they move within the state.** A person cannot participate as a member of more than one household in any month.

**Exception** — Residents in an approved shelter for battered women and children may participate twice during the initial certification cycle if they participated first with the person who abused or threatened them with abuse.

**940 MOVES OUT OF STATE**

An individual cannot participate in more than one state in any month.

**Exception:** Residents in an approved shelter for battered women and children may participate twice during the month of application if they participated first with the person who abused or threatened them with abuse.

A household or individual member becomes ineligible if they move to another state:

- with the intent to remain there, or
- without an intent to return

If the household no longer meets residence requirements, terminate assistance and notify them at their last known address.

A household is ineligible for benefits issued for a month after the household leaves the state.

When a household notifies the agency they will be moving or have moved out of the state,

- terminate the case effective the **next** issuance date, as long as benefits have not been authorized on the BMNT screen in NOMADS.

**Note:** The deadline to terminate the household is the next normal issuance date after the change is reported if adverse action is waived.

When a pending household indicates they have moved to another state, deny the application and notify the household at their last known address.

If the household returns within 45 days and declares the stay out of state was not intended to be permanent:

1. Reinstatement assistance;
2. Issue restored benefits, if appropriate.