

## Income Eligibility

NYSEDA's 1-4 family residential programs provide clean energy incentives and services to a wide variety of New Yorkers. Some of these incentives are income based. The following document outlines how NYSEDA determines the household income of a program applicant to one of NYSEDA's low- to moderate income programs described below.

Individual program guidelines specify that households with income at or below 60% State Median Income will qualify for low-income incentives. Households with income at or below 80% Area Median Income or State Median Income (whichever is higher), but greater than 60% State Median Income, will qualify for moderate-income incentives. Collectively, program applicants from these income levels are considered to be low-to moderate income (LMI) households.

Households applying to the programs can use either a paper, which is available in multiple languages, or the online application. Both versions of the application can be found [here](#).

### **Income Eligibility Methods**

Currently, the EmPower+ program, formerly the EmPower New York and Assisted Home Performance programs, Affordable Solar and Inclusive Community Solar programs provide multiple methods of qualifying for their programs.

### **Referrals**

NYSEDA receives referrals from multiple state agencies and utilities and performs outreach to these households informing them of program offerings. A customer referred from these sources is automatically eligible for low-income incentives. NYSEDA provides referral codes that can be entered when completing the online application which allows the applicant to bypass further income verification.

### **Categorical Eligibility**

Income-eligible customers who receive benefits from other select New York State organizations serving low-income residents are considered categorically eligible. These organizations include:

- HEAP (Home Energy Assistance Program)
- SNAP (Supplemental Nutrition Assistance Program/Food Stamps)/SNAP NYC
- SSI (Supplemental Security Income)
- TANF (Temporary Assistance for Needy Families)
- Weatherization Assistance Program
- Public Assistance

If an applicant has received benefits from these services and has an award letter dated within the last 12 months, the household is considered income-eligible and can present this *award letter* as proof of income documentation. A copy of the award letter must be included with the program application.

HEAP Award letters

A HEAP award letter will come from the Office of Temporary and Disability Assistance (OTDA) and must be dated within the last 12 months to be valid for income documentation purposes. Either a HEAP Cooling or HEAP Heating award letter is acceptable.

**Standard Eligibility**

Standard eligibility is determined by income statements, which come in many forms, to determine *gross annual income*. Annual income indicates whether an applicant is eligible for LMI programs and benefits. Below is a list of forms and how recent those forms must be to be considered eligible. These forms should be provided for every member of the household that is 18 and over, but full-time students do not have to provide these documents. The chart below shows what documents may be used, what time frame they are valid for and how the calculation of income is done for each document.

NYSEDA uses a household’s overall gross income to determine program eligibility, not the net income. Gross income is the earnings that a household receives before federal and state taxes are taken out for the fiscal year. Net income refers to “take home” pay. Below is a chart to help you determine annual gross income from the appropriate forms. In cases where a homeowner’s gross income does not appear to provide enough income to maintain a home, the program may ask the homeowner to apply and be approved for the HEAP program prior to approving the NYSEDA program application.

Benefit	Form	Time Period	Calculation
<b>Alimony</b>	Court Award Letter or Printout from Domestic Relations	Within the last 12 months	(Monthly Benefit) X 12 = Annual Income
<b>Annuities</b>	Statement	Within the last 12 months	
<b>Business/Farm Income</b>	Use business records for three months prior to the date of the application	Within the last 12 months	
<b>Disability</b>	Benefit Statement	Within the last 12 months	(Monthly Benefit) X 12 = Annual Income
<b>Estates or Trusts, as regular source of income</b>	Fiduciary statement or current statement bank or brokerage firm.	Within the last 12 months	
<b>Food Stamps</b>	Letter or notice from LDSS stating that the household has been determined eligible. A food stamp identification card alone is not sufficient documentation	Within the last 12 months	Categorical



<b>Benefit</b>	<b>Form</b>	<b>Time Period</b>	<b>Calculation</b>
<b>Foster Care Payment</b>	Benefit Statement	Dated in the last 60 days	(Monthly Benefit) X 12 = Annual Income
<b>Gambling or Lottery Winnings (net)</b>	Statement of net winnings.	Within the last 12 months	
<b>HUD Form 50059</b>	Copy of the current form for the tenant.	Within the last 12 months	
<b>Insurance Proceeds or Dividends, as regular source of income</b>	Statement from insurance company (note: one-time insurance payments or compensation for injury are not considered income.)	Within the last 12 months	
<b>Interest Income</b>	Statement	Within the last 12 months	
<b>IRS Tax Form Transcript</b>	Legal Transcript from IRS showing a transcript of the customer's return	Within the last year (until May)	Check adjusted gross income
<b>Pension</b>	Statement or Pension check stub showing amount or letter from Pension Board	Within the last 12 months	(Monthly Benefit) X 12 = Annual Income
<b>Public Assistance</b>	Interagency Referral completed by an LDSS; an LDSS computerized printout received by recipient when re-certified; LDSS monthly budget worksheet with date, signature, and job title of LDSS personnel; LDSS Letter of Eligibility; in New York City multiple-dwelling units, a building printout by address from the New York City Human Resources Administration,	Within the last 12 months	Categorical
<b>Rental Income</b>	Income tax form; rent receipts; notarized statement from applicant listing each apartment and the rent received per month, as well as the description and amount of deductible expenses. When the tenant is a family member and is paying no rent to the owner, a notarized statement should be received from the tenant and signed by the owner stating that no rents are being collected.	Within the last 12 months	
<b>Royalties</b>	Income tax return; current statement from company issuing checks	Within the last 12 months	
<b>Salaries/Wages</b>	Pay Stubs from last 4 Weeks	Dated in the last 60 days	Weekly: (weekly income) X 4.3 = Month Total Bi-Weekly: (2 weeks income) X 2.15 = Month Total

Benefit	Form	Time Period	Calculation
			Twice Monthly: (Income) X 2 = Month Total  (Month Total) X 12 = Annual Income
<b>Self-employment Income</b>	Business records for 3 months prior to the date of application; IRS form for income from previous year; notarized statement of gross adjusted income, including list of deductions and amounts, for previous 3 months.	Within the last 12 months	
<b>Social Security</b>	Award Letter, Benefit Statement, 1099 Social Security Benefit Statement, 1099-R	Within the last 12 Months	(Monthly Benefit) X 12 = Annual Income
<b>Social Security Disability</b>	Award Letter, Benefit Statement	Within the last 12 Months	(Monthly Benefit) X 12 = Annual Income
<b>Tax Documentation</b>	1040, 1040 A, 1040-SR, 1040-EZ, W2	Within the last year (until May)	For 1040, 1040 A, 1040-SR, and 1040-EZ use Adjusted Gross Income. For W2 use Box 1 - Wages, Tips, and Other Compensation.
<b>Veteran's Benefits</b>	Award letter from Veterans Administration of Department of Defense; copy of check.	Within the last 12 months	
<b>Worker's Compensation</b>	Formal letter from insurance company	Dated in the last 60 days	(Monthly Benefit) X 12 = Annual Income

### Non-Profit Applications

A non-profit that owns or rehabilitates housing for income-qualified individuals or families can apply to the program and provide a statement on the entity's letterhead indicating that the residence will be rented or sold to an income eligible household. The letter must specify whether the household is low or moderate-income and be included as part of the application submission package. For further information on the not-for-profit application process and additional project requirements, please refer to Section 5.7 of the [Program Manual](#).

## **Additional Income Eligibility Information**

### **Program Eligibility Period**

A determination of applicant eligibility will remain in effect and no new documentation will be required for **one year** from the initial date of determination, unless the program receives information that the applicant is no longer eligible or if the applicant is now eligible for a different income level (for example, a household was determined moderate-income eligible, but now is low-income eligible). If it is established that the applicant intentionally provided false information regarding eligibility, all work must be stopped and closed out at the cost incurred, and the contractor should contact their account manager.

### **Income Exclusions**

The following income sources **should not** be included in total monthly income for purposes of determining eligibility:

- **Cash Over Which the Household Has No Control:** Cash, including, but not limited to, reimbursement for expenses incurred in connection with employment (e.g., gas mileage provided) and reimbursement for medical expenses (e.g., Medicare payment for doctor bills).
- **Child Support:** Child support payments, whether received by or paid by the applicant, are not added to or deducted from applicant income in order to determine eligibility.
- **Dependent Student Income:** Earnings of full-time high school students aged 17 or younger should not be included in the household's income; however, the income of dependent students over the age of 18 and enrolled for at least 12 credit hours in an institution of higher education should be treated in the following manner:
  - Income received by students from federal and/or state grants and/or loans is excluded as income.
  - Earnings of a student living at home are excluded as income in determining a household's eligibility; however, students living at home are included in the household count.
  - Earnings of a student enrolled at an institution of higher education and living away from home during normal periods of class attendance and recess are excluded as income in determining a household's eligibility; however, these students are included in the household count. A student's status may be further tested by whether the student lives at home during normal vacation periods or is claimed as a deduction on the household's income tax. Students 18 and over must submit documentation of student status and it must be placed in the applicant file.
- **Farm and Business Expenses:** Allowable deductions for farms and businesses include only the cost of doing business. If the enterprise is a partnership, the percentage owned by the applicant should be established by documentation. The adjusted gross income figure listed on an applicant's income tax return should not be used in determining income from small businesses/farms since the IRS allows deductions for depreciation, personal business and entertainment expenses, income tax, personal transportation, purchase of capital equipment, and payments on the principal loans. Business records

required by law should be used to document gross income and business costs for the three calendar months prior to the month of application and pro-rated for an average gross monthly income.

- **Holocaust Survivors Payments:** Restitution payments from foreign governments to survivors of the Holocaust are excluded as income.
- **Income Committed to Healthcare/Homemaker Services:** The amount which an applicant pays an employee for household work or health care is not an allowable deduction from gross income except in the following cases:
  - Health Care Services: Income used to pay for in-patient hospital care, in-patient care in a skilled nursing facility, or home health care, which is also counted toward Medicaid eligibility, is exempted as income. For income exclusion purposes, home health care means payments made for home nursing services rendered by a person (other than a family member) who is qualified to provide services such as assistance with personal hygiene, dressing, feeding, or household tasks, and who has been appropriately trained and is supervised by a registered professional nurse.
  - Housekeeper/Homemaker Services: Reimbursements for housekeepers or homemakers under Title XX of the Social Security Act are not considered as income for eligibility purposes. Those services include assessing the need for, arranging for, providing and evaluating the provision of personal care, home management, and incidental household tasks by a professionally trained homemaker.
  - In-Kind Services: When an applicant has an employee residing in the household to assist in household work and health care, the employee’s income should not be considered in determining the household's eligibility nor is the employee included in the household count. No monetary value may be attached to any in-kind contribution which the employee provides to the household.
- **Loans:** All are excluded, including reverse-annuity mortgage and home-equity conversion payments.
- **Lump-sum Payments:** Non-recurring lump-sum payments which are to be excluded from income in determining eligibility include but are not limited to: income tax refunds; rebates or credits; retroactive lump-sum insurance settlements; and lump-sum income from the sale of property.
- **Payment for Foster Children and Foster Care Adults:** Payments provided for care and maintenance of foster children or adults are not considered income. Foster children and foster-care adults (e.g., individuals 18 years of age or older, who are socially, physically, or mentally handicapped and placed in a community-based care setting approved by appropriate state agencies or local social services agencies) are not counted as members of an applicant’s household.
- **Rental Property Costs:** The following costs for rental property may be deducted from the owner's income, if documented:
  - Interest paid to purchase income-producing property.
  - Insurance premiums.
  - Taxes paid on income-producing property.
  - Heating and/or utility costs paid for income-producing property where rent includes heat and/or utilities.

- Improvements and/or repairs necessary to maintain the property as income-producing.
  - Note: To determine the allowable deduction for an improvement, use the life expectancy of the improvement and pro-rate the cost (e.g., a new roof costs \$5,000 and has a life expectancy of 15 years). The \$5,000 roof would be prorated at \$333 per year or \$27.75 per month. To determine the allowable deduction for a repair, divide the cost of the necessary repair by 12 months, e.g., a \$500 repair to a roof would be \$41.67 per month.
  - If the owner/applicant also resides in the income-producing property, the applicant's allowable costs should also be prorated. For example, an applicant with a three-unit dwelling who resides in one of the units would receive two-thirds of the allowable costs deducted from his/her gross rental income. Applicants who do not reside in the income producing property would have 100% of their documented allowable costs deducted from their gross rental income.
  - Depreciation, payments on the principal of income-producing property, and net losses are not allowable deductions in determining income for eligibility.
- **Roomer and/or Boarder Payments:** Roomers and boarders are not counted as household members, and their gross income is excluded from the household's income; however, payments made by the roomer/boarder to the household are included in the household income.
- **Special Energy Assistance Payments:** Home energy assistance, either in cash or in-kind, provided by a private non-profit organization or by an entity whose revenues are primarily derived on a rate of return basis and regulated by a federal or state government body, is not to be considered as income.