

# Notice of Class Action Settlement for People Denied or Discontinued Public Assistance Because of a Vehicle

## Background

This is an important notice about Public Assistance (PA). Please read it carefully if:

- You applied for **Public Assistance** between July 20, 2015 and May 10, 2020 and had your Public Assistance denied or discontinued during that time BECAUSE of
- The value of an **automobile** that you owned at that time; AND
- You had **little or no equity** in the vehicle when you were denied Public Assistance or your Public Assistance was discontinued. Having little or no equity means that there was a large vehicle loan left to pay.

A settlement in a class action lawsuit, *Stewart v. Roberts* (Index No. 5507-15, Albany County) may affect your legal rights. The Court decided that a vehicle in which the owner has little or no equity is not an “available” resource that prevents the owner from being eligible for Public Assistance. Little or no equity means that because of a loan made to purchase the vehicle, the value of your vehicle minus the amount of the loan still owed was less than \$2,000 (or \$3,000 if someone in the household was 60 or older).

If your Public Assistance was denied or discontinued between July 20, 2015 and May 10, 2020 because of a vehicle resource, you should have already received a notice related to this case. This notice lets you know that you might be a class member and that you need to contact the local department of social services. If you qualify as a class member, you may be able to receive some of the Public Assistance you were previously unable to receive because of your vehicle in addition to a current monthly benefit.

## What is the Settlement?

You can see the entire settlement on the websites of the organizations listed below. The Court has appointed lawyers from Empire Justice Center ([www.empirejustice.org](http://www.empirejustice.org)), Legal Services of Central New York ([www.lscny.org](http://www.lscny.org)), and the National Center for Law and Economic Justice ([www.nclej.org](http://www.nclej.org)) to represent the Plaintiff Class in this case. The Empire Justice Center, Legal Services of Central New York, and the National Center for Law and Economic Justice are non-profit legal services organizations. There is no charge to you for their legal work on this case.

## Who is included in the settlement?

Current or Past Applicants and Recipients of Public Assistance who:

- 1) Were denied or discontinued from Public Assistance in New York State between July 20, 2015 and May 10, 2020; and
- 2) At the time of the denial or discontinuance, owned a vehicle with little or no equity; and
- 3) Were unable to receive Public Assistance **because** the vehicle was treated as a resource.

## What Benefits Will I Receive?

If the department of social services determines that you are a class member and you are currently receiving Public Assistance (PA), you will receive a one-time payment called a “standardized restored benefit” (SRB). The amount of your SRB is \$140 for every full or partial month between the first denial or discontinuance of Public Assistance (after July 20, 2015) that was related to the value of your vehicle and the date you started receiving Public Assistance again (no later than May 10, 2020).

EXAMPLE: If your PA case was closed because of the value of your vehicle on February 15, 2020, and your PA case reopened on August 1, 2020, you would be eligible for an SRB of \$560 (February, March, April, and May at \$140 per month). You would not be entitled to an SRB beyond May 2020.

Anyone who is a class member but is not currently receiving PA will be able to receive the payment if they later become eligible for PA.

The SRB payment will not be counted as income or as a resource for your household for PA purposes.

## Do I Have to Do Anything?

To be eligible for the SRB payment, you must opt-in to the class by contacting your local department of social services after you get your notice. You should have already received a form notice telling you how to do this. If you believe that you are eligible and have not yet received information from your local social services district, please contact Empire Justice Center at 585-295-5837 or [carloan@empirejustice.org](mailto:carloan@empirejustice.org).

## What Should I Do if I Have Questions?

You can contact the Empire Justice Center with any questions at 585-295-5837 or by email at [carloan@empirejustice.org](mailto:carloan@empirejustice.org). You do not have to pay to speak to the Empire Justice Center about your questions.