

**PROPOSED ORDER OF THE
DEPARTMENT OF VETERANS AFFAIRS
AMENDING RULES**

The Wisconsin Department of Veterans Affairs hereby proposes an order to amend VA 13.05 intro and 13.05 (1), relating to the imposition of rental charges at regional transitional housing sites under the veterans assistance program.

ANALYSIS PREPARED BY THE
DEPARTMENT OF VETERANS AFFAIRS

Statutory authority: sec. 45.357 (2), Stats.

Statute interpreted: sec. 45.357 (2), Stats.

The amendment of VA 13.05 intro and 13.05 (1) will enable the Department or the regional transitional housing site vendor to assess rental charges of up to 30% of the monthly income of a resident of a regional transitional housing site, after deducting medical expenses, child care expenses, court ordered child support payments, or other court ordered payments. The assessment may be made against the first check received by a resident but will be limited to those unfunded operational costs incurred at the housing site during the period of time the resident actually resided at the site. The amendment does not affect the charges that are assessed against the resident of single room occupancy housing under 13.05 (2).

TEXT OF RULE

SECTION 1. VA 13.05 intro is amended to read:

VA 13.05 **Program fees and rental charges.** The department or regional transitional housing site vendor may collect a monthly fee or rental charge from a veterans assistance program participant residing in a regional transitional housing site in an amount calculated under the following schedule:

SECTION 2. VA 13.05 (1) is amended to read:

VA 13.05 (1) RESIDENTS OF REGIONAL TRANSITIONAL HOUSING SITES. A resident of a regional transitional housing site who ~~has a full time, part time or seasonal employment~~ is employed or who is receiving supplemental security income, social security

disability insurance payments or any other disability or pension benefits, other than compensated work therapy or industrial/incentive therapy payments paid at a rate below the prevailing minimum wage, may be assessed a monthly program ~~fee~~ rental charge of not more than ~~10%~~ 30 percent of monthly ~~gross~~ income, after a deduction for ~~debt service payments. Allowable debt service payments include recoupment of veterans affairs benefits, past due~~ medical expenses ~~repaid under a repayment agreement~~, child care expenses, court-ordered child support payments, and or any other court-ordered payment. The assessment shall be uniformly applied to each resident of a specific site. The total amount of the monthly assessments at a particular site may not exceed the site's monthly unfunded operational costs. ~~The~~ An individual assessment may begin upon the resident's receipt of a second pay or benefit check except when the resident receives a retroactive lump sum award of pension, compensation, or other entitlement payments. In that case, an assessment may be made against the lump sum award but shall be limited to the number of months the resident resided at the site prior to the month of receipt of the lump sum award.

The amendment of the rule contained in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22 (2) (intro.), Stats.

Dated at Madison, Wisconsin, August 4, 2003.

STATE OF WISCONSIN
DEPARTMENT OF VETERANS AFFAIRS

RAYMOND G. BOLAND, SECRETARY