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ABOUT NEW YORK

## No-Cost Error Leads to a Big Penalty

By [JIM DWYER](#)

Two months ago, Vanessa Hall got the kind of letter from the state that required several readings to appreciate the depth of its perversity. At first glance, the main point was plain enough: Her food stamp benefit was being cut.

The reason also seemed straightforward. A city agency that administers food stamps, the [Human Resources Administration](#), claimed that she had not told the truth about being married.

“You intentionally failed to provide accurate information regarding marital status,” the letter stated.

How much did she get by not owning up to her marital status?

“As a result,” the letter stated, “you received an overissuance of food stamps in the amount of \$0.”

And because she had gotten \$0 — that is, zero dollars — worth of food stamps that she was not entitled to, the city now wants to stop her allocation of \$106 a month. Ms. Hall, 40, who recently lost a clerical job with a health insurance group, is the mother of a 13-year-old son; he will continue to receive \$200 a month in stamps.

Ms. Hall is one of about 300 people in the city who have been notified that they are losing their benefits because they did not disclose marriages when they filed food stamp applications — even though the city acknowledged that they got nothing extra out of it.

Among these people, according to a class-action lawsuit filed this month by the [Urban Justice Center](#), are Carlos Robles, a mentally ill man who works in a stockroom, lives in a single-room-occupancy hotel and lost \$84 a month in stamps; Jennifer Vargas, a mother of two who is studying to be a medical assistant and would lose \$118; and Marinda Myers, who has bipolar disorder and could lose \$200.

In each case, the record of a marriage was on file with the city clerk's office, but the individuals filed food stamp applications stating that they were single. In its notices, the city said that by not disclosing the marriages, they had committed an "intentional program violation."

The lawsuit, however, argues that since the benefits are based on the number of people in the household, marital status is not relevant, since being married does not necessarily mean that the husband and wife are living together.

"Actually, some of these people would have gotten more food stamps if they had reported that they were married," said [Tara Crean](#), a lawyer for the plaintiffs. "They didn't think of themselves as married."

MS. HALL said she married an African immigrant in 2006, but they broke up within a few months because she would not help him get citizenship. "You can be married on paper, but live in separate households," Ms. Hall said. "I consider myself single, especially when the person isn't doing anything for me."

Ms. Myers told the city that she was married for three and a half weeks, the lawsuit states. Luz Cruz, a mother of five, told the city that her husband had left home after two months of marriage, and had not returned to live there.

What is the point of taking away food stamp benefits from people who are not cheating?

Asked about the practices on Tuesday, a spokeswoman for the Human Resources Administration said: “I can’t respond to your inquiry. There is pending litigation.”

Actually, there is no law against government officials’ explaining government policy, even when cases are in court.

Instead, the spokeswoman stressed the city’s success in getting food stamps to hundreds of thousands of people since 2002, when [Michael R. Bloomberg](#) became mayor.

Those successes are broad: 88 percent more people, most of them holding low-income jobs, get food stamps today than in 2002.

In that context, the city argues, if a few hundred people lose benefits unfairly or unwisely or unjustly, it isn’t such a big deal.

For Vanessa Hall, though, it’s a way of turning “a person into a number.” At the start of the month, she goes to a wholesale meat market near her home in the Bronx and buys one of the package deals for \$40, \$50 or \$60. It includes enough ground beef, oxtail, bacon and steak to last her and her son for the month. “Each package comes with something extra, maybe a dozen eggs, a pound of butter,” Ms. Hall said. “Now the 99-cent stores are able to take food stamps, so I go there for milk. You try to find a way to make it last.”