



Community Action Program of  
Evansville & Vanderburgh Co., Inc.  
401 S.E. 6<sup>th</sup> Street, Suite 001, Evansville, IN 47713  
812-492-3952 \* [www.capeevansville.org](http://www.capeevansville.org)

## Energy Assistance Program NOTICE of Appeal Rights

Energy Assistance Program customers have the right to appeal any eligibility determination they disagree with including a denial or perceived failure by CAPE to process a submitted application within program timeframe guidelines. The Appeals Process is detailed below and must be completed in the following order:

### Step 1: Client Appeal Request to CAPE

- I. EAP client must submit a written appeal to CAPE's EAP program manager or Executive Director
- II. The EAP manager will review the appeal and issue a letter of determination within (14) calendar days from the receipt of the appeal request. All appeal documentation will be uploaded to the state's database. The IHCD Community Programs Manager is notified of denial appeals.

### Step 2: Formal Review by the State of Indiana – **May only file after completing Step 1 above.**

- I. If you are not satisfied with CAPE's Appeal Determination, you may request a formal review by submitting a written appeal to IHCD's Community Programs Manager for the Energy Assistance Program within (30) calendar days of receiving CAPE's Appeal Determination.
- II. IHCD's Community Program Manager will review the appeal and issue a written decision within (14) calendar days.

You may contact IHCD if you need assistance filing a formal review with the IHCD Community Programs Manager. You may file this appeal directly, or in some cases, CAPE may submit the appeal on your behalf.

### Step 3: Appeal to IHCD's Director of Community Programs–**May only file after completing Steps 1 & 2 above.**

- I. You may appeal to IHCD's Director of Community Programs (DCP) in writing within (30) calendar days of being notified of IHCD's Community Programs Manager's decision. Your appeal request should be sent to the Director of Energy and Utility Programs and must include the stated reasons for your objection.

Reasons must be based solely upon evidence supporting one (1) of the following circumstances:

- A. Clear & substantial error or misstated facts that were relied on in making the decision being challenged;
- B. Unfair competition or conflict of interest in the decision-making process;
- C. An illegal, unethical or improper act; or
- D. Any other legal basis that may substantially alter the decision.

The applicant receives a written acknowledgment of the request within (7) calendar days of its receipt, noting IHCD's receipt date. The Director of Community Programs has (30) calendar days from IHCD's receipt of written request to review and make a determination. The decision of the DCP is final. The benefit in question will be considered as obligated until the appeal is resolved. At the time of the final decision, the funds will either be paid to the appropriate household or vendor or will revert to the program.

IHCD contact information is available online at [IHCD: Home \(in.gov\)](http://IHCD: Home (in.gov)). (30 South Meridian St., Suite 900, Indianapolis, IN 46204. Inside IN (800) 872-0371 | (317) 232-7777

CAPE EAP staff are available to answer any questions you may have regarding the appeals process.

### Our Mission

*The Mission of The Community Action Program of Evansville & Vanderburgh County, Inc. (CAPE) is one that encompasses the community as a whole. Our Agency addresses the customer's needs in a non-judgmental and respectful manner to promote economic and social self-sufficiency. This mission is supported by employees committed to addressing the needs of the community we serve. Our objective is accomplished by collaboration with the community to provide tools, skills, and services through programs that meet individual needs.*

*"All services are provided without regard to race, age, color, religion, sex, disability, national origin, ancestry, or status as a veteran."*