

**If you receive a Notice of Case Action from the Department of Children and Families telling you that you were overpaid Food Stamp Benefits, you have rights. You can request a Fair Hearing and/or request a Compromise of the overpayment.**



## **When Should I Request a Fair Hearing?**

If you believe that DCF is wrong and you were not overpaid or you believe that the amount of the overpayment is wrong, you can and should request a Fair Hearing. A request for a Fair Hearing must be filed within ninety (90) days of the date of the Notice. If you failed to appeal the Notice within the 90 days, you will lose your right to object to the overpayment itself.

## **Can I stop my benefits from being automatically reduced or ended during the appeal?**

Yes, to keep your benefits at the current level, you must file a Request for a Fair Hearing within ten (10) days of the Notice and request that your benefits not be reduced while the appeal is pending.

## **When should I request a Compromise of the overpayment?**

If you believe the overpayment is correct but you are unable to repay it AND the overpayment occurred due to agency error or inadvertent household error, you may be able to obtain a Compromise of the overpayment.

A compromise is when DCF agrees to eliminate the overpayment altogether. You may be able to be approved for a compromise in certain situations, such as: your household income is based on age and/or disability, if you are in bankruptcy proceedings, or if you can prove that due to your ongoing expenses, you will not be able to repay the debt. For further information, please contact CLSMF.

## **What if my request for Compromise is denied?**

You have ninety (90) days to appeal this denial by requesting a Fair Hearing. If you fail to timely appeal the denial of your compromise, you will not be able to file a new Compromise request. It is very important that you do not let your appeal time pass without filing a Fair Hearing Request.

## **What can DCF do to collect the overpayment?**

DCF can take several avenues to collect on the overpayment including recoupment out of your current Food Stamp benefits (10%) and tax intercept.

## **When should I seek legal counsel if I receive an overpayment notice?**

As soon as possible. Community Legal Services can review your paperwork and evaluate your case for merits in both a Fair Hearing and a Compromise request. We can assist you in preparing your papers and, if we find your case has merit, we can undertake representation.



## **Will I have to pay for legal services provided?**

If you call us, you will not have to pay any attorney's fees. We are a non-profit organization providing free legal services to eligible indigent persons in Central Florida.

## About Community Legal Services of Mid-Florida (CLSMF)

*The mission of CLSMF is to provide access to justice through high quality legal assistance to low-income persons.*

**Community Legal Services of Mid-Florida, Inc. provides free legal assistance to eligible low-income persons in civil matters (we do not provide legal assistance in criminal or traffic matters).**

**CLSMF provides community education seminars and detailed informational brochures on the major areas of law we practice. Please see the back of this brochure for a complete listing of offices.**

The Florida Bar Foundation, with *Interest on Trust Accounts* program funding, provides support for this service.



## Community Legal Services of Mid-Florida Offices:

**\*BREVARD: 1-866-469-7444**

**CITRUS & SUMTER**  
106 N. Osceola Ave., Inverness, FL 34450  
**(352) 726-6592 – CITRUS**  
**1-800-984-2918– SUMTER**

**FLAGLER: 1-800-405-1417**

**HERNANDO: 1-866-801-5566**

**LAKE– (352) 343-6351**  
226 West Main St., Tavares, FL 32778

**MARION– (352) 629-6257**  
1610 SE 36th Ave.  
Ocala, FL 34471

**\*ORANGE – (407) 841-7777**  
122 E. Colonial Drive, Suite 200  
Orlando, FL 32801

**OSCEOLA – (407) 933-1791**  
800 North Main St., Kissimmee, FL 34744

**PUTNAM: (386) 385-0928**  
216 S. 6th Street, Palatka, FL 32177

**\*SEMINOLE: (407) 322-6673**  
315 Magnolia Ave., Sanford, FL 32771

**VOLUSIA – (386) 258-5600**  
128 Orange Ave., Suite 100,  
Daytona Beach, FL 32114  
Client toll-free number: 1-800-363-2357

**ADMINISTRATIVE OFFICE:**  
**(386)506-5396**

**info@clsmf.org**  
**Apply for help at [www.clsmf.org](http://www.clsmf.org)**

**\*Offices currently not offering  
Family Law services**



## What Do I Do When DCF Tells Me That I Was Overpaid Food Stamps ?

