



The TANF five-year time limit

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- ❖ Read this only if you live in Washington State.
 - ❖ You can find all the fact sheets we link to here at WashingtonLawHelp.org.
 - ❖ **If you get public benefits** like SSI, food stamps, or TANF, and you have gotten legal financial obligations (LFOs) refunded by the Court, you **may** need to follow “spend down requirements” to keep getting benefits. **You should tell DSHS about this refund as soon as possible.** If you have questions, call CLEAR at 1-888-201-1014 or see contact info below.
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Why should I read this?

There is a sixty-month (five-year) time limit for getting Temporary Assistance for Needy Families (TANF) and State Family Assistance (SFA) cash assistance. But you might not have to stop getting assistance at the end of 60 months.

Can I get an “exception” to the time limit?

Yes. The time limit will not apply if you are **one of these**:

- **An adult caretaker**, other than a parent, and you get cash assistance for the child but not yourself.
- **A dependent pregnant or parenting teen**, and DSHS has approved your living situation.
- **An American Indian or Native Alaskan adult**, living in Indian country and the unemployment rate in your community is 50% or more.

Can I get an “extension” to the time limit?

Maybe. You can get TANF or SFA for longer **if** you can show that you cannot work full-time. This might mean you are one of these:

- Age 55 or older and taking care of a child when you are not the child’s parent
- Caring for an adult relative with disabilities
- Caring for a child with special needs
- An adult with severe and chronic disabilities

You will need to show proof of your age, your disability, the disability of the relative you are caring for, or other reasons that you cannot work. Ask your caseworker to refer you to a social worker for help getting proof.

❖ DSHS checks at least every twelve months to see if you can work.

None of the above is true for me. Can I get an extension anyhow?

Maybe. You might be able get a **“hardship” extension** if least one of these is true:

- You are working at least 32 hours a week.
- You are a have experienced family violence.
- You have an open child welfare case (dependency case) in a Washington State or tribal court and this is the first time you have been involved in a dependency case.
- You are homeless. This includes living outside, in a building not meant to be lived in or which you have no legal right to be in, in a shelter, or in a temporary housing program.

❖ DSHS must give you a hardship extension if the state unemployment rate is higher than 7% at the time DSHS checks if you need an extension. Read the state law authorizing this extension at [RCW 84.08A.010\(5\)\(a\)\(i\)\(C\)](#).

When does DSHS check if I can get an extension?

DSHS checks at least every six to twelve months if you need or still need a hardship extension. DSHS should also look at your case between your 52nd month of getting cash assistance and your 60-month time limit. Before you reach the time limit, DSHS will send you a notice saying if they are giving you an extension.

How do they decide if I should get an extension?

DSHS is supposed to ask you about any barriers, such as hidden disabilities, that may make it hard for you to work or look for work.

If they do not ask, **raise these issues yourself**. Ask them for time to get proof of your condition and of how it affects your daily activities.

If you have a medical provider, ask DSHS for a form the provider can fill out supporting your claim that a physical or mental health problem makes it hard for you to do WorkFirst.

DSHS says I cannot get an exception or extension. What can I do?

Ask for an Administrative Hearing and continuing benefits **right away**. Read [Representing Yourself at an Administrative Hearing](#) to learn more.

If you feel that you will need legal help with a hearing, see contact info below.

How long will DSHS extend the time limit?

For as long as you qualify for an extension. DSHS will check from time to time to see if you still qualify.

I started getting TANF in another state. Then I moved to Washington. Does the time limit apply to me?

Yes. It does not matter where you got TANF.

This **only** applies to assistance you got on or after August 17, 1997.

Does the time limit apply to months I got only medical or food assistance?

No. It only applies to TANF or SFA.

Does the time limit apply to months I got cash assistance for only part of the month?

Yes.

Does the time limit apply to months I got only a little cash assistance?

Yes.

DSHS says I have gotten sixty months of TANF. I disagree.

Ask for a hearing and continuing benefits **right away**, before your benefits stop. If the judge decides DSHS was right about you getting 60 months, you may have to repay up to 60 days of assistance. Read [Representing Yourself at an Administrative Hearing](#) and [How to Fight an Overpayment of Cash or Medical Assistance](#) to learn more. You can also get legal help.

Get Legal Help

- **Apply online** with [CLEAR*Online](#) - nwjustice.org/apply-online
- **Facing a legal issue in King County** (other than Eviction or Foreclosure)? Call 2-1-1 (or toll-free 1-877-211-9274) weekdays 8:00 am - 6:00 pm. They will refer you to a legal aid provider.
- **Facing a legal issue outside of King County** (other than Eviction or Foreclosure)? Call the CLEAR Hotline at 1-888-201-1014 weekdays between 9:15 am - 12:15 pm or apply online at nwjustice.org/apply-online.
- **Facing Eviction?** Call 1-855-657-8387.
- **Facing Foreclosure?** Call 1-800-606-4819.
- **Seniors (age 60 and over)** with a legal issue outside of King County can also call CLEAR*Sr at 1-888-387-7111.

If you are deaf, hard of hearing or speech impaired, you can call any of these numbers using the relay service of your choice.

Interpreters provided.

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