

B Restored FS Benefits

Restored FS benefits are benefits that are issued to an FS budgetary unit when all of the following conditions are met:

- The budgetary unit received fewer FS benefits than it was entitled to receive.
- The loss was FAA caused.
- The benefits in question are not for the current month.

When there was a change in living arrangements, restore benefits to the budgetary unit that includes containing the majority of the participants of the original budgetary unit at the time the loss occurred.

When the local office cannot locate or determine which budgetary unit includes the majority of budgetary unit participants, restore benefits to the budgetary unit that included the PI at the time the loss occurred.

Restore FS benefits for NOT MORE than 12 months PRIOR to whichever of the following occurs first:

- The date FAA received a request for restoration of benefits from a budgetary unit.
- The date FAA was notified or discovered that a loss of benefits occurred.
- The date the budgetary unit requested a [fair hearing](#) because it disagreed with an adverse action that resulted in a loss of benefits.
- The date of notification that an [Intentional Program Violation \(IPV\)](#) disqualification was reversed.

The budgetary unit may receive a favorable decision through the fair hearing process or other court action and benefits must be restored. When this occurs, restore benefits up to 12 months prior to the date of the fair hearing decision or court disposition.

EXCEPTION

Categorically eligible (Basic or Expanded) budgetary units are not limited to the 12-month provision. FS benefits can be restored from December 23, 1985 to present when the budgetary unit is categorically eligible.

When a judicial action is the first action the budgetary unit has taken to obtain restoration of lost benefits, restore the benefits for a period of not more than 12 months from the date the court action is taken.

Issue restored benefits when it is discovered that the budgetary unit is entitled to them. The budgetary unit is not required to take any action.

(See [Calculating the Underpayment](#))