

CALFRESH (CF) PROGRAM REQUEST FOR POLICY/REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 2/11/16	NEED RESPONSE BY: 2/19/16
2. REQUESTOR NAME: Ramon Cordova	6. COUNTY/ORGANIZATION: Orange	
3. PHONE NO.: (714) 541-7434	7. SUBJECT: Income from Real Estate employment	
4. REGULATION CITE(S): 63-503.2.212(a) & 63-503.2.212(b)(1)	8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> NOTE: All requests must have a regulation cite(s) and/or a reference(s).	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

We have a case situation were the client is a Realtor so they don't have easily anticipated income. They can go months with no income until they sell a home and then get like 30,000 then go months again with no income.

63-503.2.212(a) Actual Income - Income shall not be counted if its receipt is uncertain.

63-503.2.212(b)(1) Averaging Income - Self-employment income received less often than monthly. Households which derive their annual income in a period of time shorter than one year shall have that income averaged over a 12-month period.

10. REQUESTOR'S PROPOSED ANSWER:

Although the clients income from selling real estate cannot be easily anticipated because it's receipt and amount is uncertain, we should look at them as self-employed with income received less often than monthly, and average the previous years income over the next 12-month certification or SAR period. In our scenario above 63-503.2.212(b)(1) would apply.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

Per ACL 12-25 (page 25) and 7 CFR 273.10(c)(1)(i) income that cannot be reasonable anticipated may not be counted in the CalFresh budget. In this case, the CWD should budget for zero income and instruct the client to report any income received during the certification period that is over his IRT.

FOR CDSS USE

DATE RECEIVED:

DATE RESPONDED TO COUNTY/ALJ:

A.B. 2/17/2016

**CALFRESH (CF) PROGRAM
REQUEST FOR POLICY/REGULATION INTERPRETATION (Continued)**

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	6. COUNTY/ORGANIZATION:	
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4. REGULATION CITE(S):		