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. 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:
   - ☐ Policy/Regulation Interpretation
   - ☑ QC
   - ☐ Fair Hearing
   - ☐ Other:

2. REQUESTOR NAME: Ninh Do

3. PHONE NO.: 925 677-2921

4. REGULATION CITE(S): 63-502.147

5. DATE OF REQUEST: 6/26/2012 NEED RESPONSE BY: ASAP

6. COUNTY/ORGANIZATION: Contra Costa County- EHSD

7. SUBJECT: Money withdrawn from trust account

8. REFERENCES: *(Include ACL/ACIN, court cases, etc. in references)*
NOTE: All requests must have a regulation cite(s) and/or a reference(s).

eCFR: § 273.9 Income and deductions.
MPP 63-502.147

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

Case scenario:
Client has a trust account that her sister is a trustee. The trustee withdraws money ($425) monthly from the Trust account to pay for Home Owner Association (HOA) on client's behalf.

For Resource: it is exempt under MCE rule.
For Income: Is it also exempt?

10. REQUESTOR'S PROPOSED ANSWER:

Per 63-502.147 (page 233.1) It states "Monies which are withdrawn or dividends which are or could be received by a household from an excluded trust fund [see Section 63-501.3(h)]. Such trust withdrawals shall be considered income in the month received, unless excluded under Section 63-502.2. Dividends which the household has the option of either receiving as income or reinvesting in the trust are to be considered as income in the month they become available to the household unless excluded under Section 63-502.2."

I think this money ($425) is considered as unearned income and to be counted in the CF budget (because: if resources produce income, it's counted as income in the month received)

11. STATE POLICY RESPONSE *(CFPB USE ONLY)*:

Based on the above scenario the State concurs with your answer. The unearned income received Income received from the irrevocable trust, does not qualify as an exclusion under MPP 63-502.2.

FOR CDSS USE

DATE RECEIVED:	DATE RESPONDED TO COUNTY/ALJ: