

FOOD STAMP PROGRAM REQUEST FOR REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. Retain a copy of the FS 24 for your records. For counties asking for policy interpretations, submit the question directly to a FRAT representative via e-mail. For other organizations (e.g., Quality Control, Administrative Law Judges), submit questions directly to the Food Stamp Policy Implementation Unit or Employment and Special Projects Unit representative via e-mail.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Immediate Need/Emergency Services <input checked="" type="checkbox"/> Other:	5. DATE OF REQUEST: 12/12/2011	NEED RESPONSE BY: 12/15/2011
2. REQUESTOR NAME: Vicki O'Brien	6. COUNTY/ORGANIZATION: Sacramento County DHA	
3. PHONE NO.: 916 875-3745	7. SUBJECT: Using obligation to pay as a rule to continue to allow a mortgage	
4. REGULATION CITE(S): 63-503.251 there's nothing in PICs on this issue	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s).	
9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY): 63-503.251 describing Billed Expenses is adequate justification for allowing the expense in these situations		

When the household has a home that has gone into foreclosure do when continue to allow the mortgage payment as a shelter deduction? If for how long?

10. REQUESTOR'S PROPOSED ANSWER: I believe we should allow the mortgage payment on home that is in foreclosure because the HH still has the obligation to pay. Just as we allow other billed shelter cost regardless of whether or not the HH has paid the expense. As I re3memb Mike Papin brought this up at a CWDA mtg in 2008, stating we should allow the mortgage payment as along as the HH has not been relieved of the obligation to pay.
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11. FRAT RESPONSE TO COUNTY QUESTION: The State concurs with the requestor's proposed answer. As long as the mortgage continues to be an obligated payment, it should be used as an expense for shelter costs. This should continue until that the mortgage loan has been closed either by the sale of the house or other means. If the household avoids foreclosure the shelter cost will continue as an expense.
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12. STATE POLICY RESPONSE (FSPIU USE ONLY):

FOR FRAT USE

DATE RECEIVED:	DATE RESPONDED TO COUNTY: TA	DATE FORWARDED TO STATE:
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