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

5. DATE OF REQUEST: 04/25/2017
   NEED RESPONSE BY: ASAP

6. COUNTY/ORGANIZATION: Kern/DHS

7. SUBJECT: In-Kind Benefits - Housing

2. REQUESTOR NAME:

3. PHONE NO.:

4. REGULATION CITE(S): 7CFR 273.9(c)(1); MPP 63-602.11; 63-502.2(a)(1)

8. REFERENCES: *(Include ACL/ACIN, court cases, etc. in references)*
   NOTE: All requests must have a regulation cite(s) and/or a reference(s).
   CFR 273.9(c)(1); MPP 63-602.11; 63-502.2(a)(1)

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

NA CalFresh household. Client is employed with property Management Company. Client provides verification, rental contact and check stubs. Check stubs include as gross income the amount of the value of the apartment that is provided to her as part of contract and hourly wages earned. Example: Rent $800.00 Hourly Wages $1000 but then deducts the rent as a "Non-Cash Fringe Benefit" and is not included as part of her take home pay. Client's deposited pay check is $1,000. Her rent is verified as 0 per contract to work for services.

10. REQUESTOR'S PROPOSED ANSWER:

Per 7 CFR 273.9(c)(1), MPP 63-602.502.2(a)(1) and the handbook example corresponding to 63-502.2(a)(1): the value of the rent included on the check stub should be considered excluded income and not used in the CalFresh budget. Per federal regulations, exclusions from income include any gain or benefit which is NOT in the form of money payable directly to a household, including the value of housing. Per state regulations, the income would be determined to be in-kind benefits and excluded. The handbook example corresponding to MPP 63-502.2(a)(1) provides the following: "If the employer provides housing to an employee, the value of the household shall not be counted as income". In this scenario, the client would not be allowed a shelter deduction.

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

The State concurs with the proposed response.

FOR CDSS USE

DATE RECEIVED:

DATE RESPONDED TO COUNTY/ALJ: 4/26/17 AF