

## DEPARTMENT OF BENEFIT PAYMENTS

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November 12, 1975

ALL-COUNTY LETTER NO. 75-242

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: IN-KIND INCOME ISSUES IN FAIR HEARINGS

REFERENCE: All-County Letter No. 75-197

All-County Letter 75-197 outlined how COOPER v. SWOAP and CWRO v. BRIAN were to be implemented. Presently there are a number of pending fair hearing cases involving in-kind income determinations made prior to the COOPER and CWRO decisions. Fair hearing decisions on these cases will remand the issues to the county for redetermination in light of All-County Letter 75-197.

If there is an issue in addition to the question of in-kind income, the referee shall decide that issue but remand the issue of in-kind income to the county.

Should a claimant be dissatisfied with the county determination following a remand, the claimant may request a new fair hearing.

Sincerely,

JAMES M. MOOSE, JR.  
Deputy Director

cc: CWDA

**OBSOLETE**

Superseded by ACL # 77-15

Issued 3-17-77