

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: 11/16/04
Department Name: Social Services
Department No.: 044
Agenda Date: 12/14/04
Placement: Departmental
Estimate Time: 30 min
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors
FROM: Kathy Gallagher
Director, Social Services
STAFF CONTACT: Edna Terrell, Deputy Director Social Services
681-4485
SUBJECT: General Relief Regulations Amendments

Recommendation(s):

That the Board of Supervisors:

1. Amend General Relief Manual section 90-301.11 to extend the implementation of the three month eligibility limitation on employable recipients to February 1, 2005; and
2. Amend General Relief Manual section 90-500.2 to exempt hotels that provide extremely low cost rooms to indigents who would otherwise be homeless, and to facilities that operate programs that are supported by County funds, from the shared housing requirements; and
3. Amend General Relief Section 90-501.2 to authorize the department to waive vendor payment when the landlord/leaseholder refuses to accept vendor payments from the department.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with Goal No. 4. A Community that is Economically Vital and Sustainable.

Background:

In August 2004 your Board of Supervisors authorized regulation changes in the General Relief program that imposed a limitation on the eligibility of employable recipients to three months out of every twelve months; a shared housing schedule; and a vendor payment requirement. These new regulations were to be implemented October 1, 2004.

Executive Summary and Discussion:

Subsequent to your Board's action, the department reconsidered the timing of the planned implementation. As a result, the department is recommending changes to the General Relief regulations to extend the implementation date for the three month eligibility limitation from October 1, 2004 to February 1, 2005. This revised implementation schedule would extend the first discontinuance from aid to April 30, 2005. This extension will allow the department more time to notify affected GR recipients of the impending change, and will allow the affected recipients more time to seek and obtain employment.

The department also requests an amendment to the shared housing regulation, which requires that persons sharing rooms or homes in which they pay only a share of the rent, receive a grant reduction based on the number of people in the shared living situation. This requested amendment would exempt hotels that provide extremely low cost rooms to indigents who would otherwise be homeless, and, to facilities that operate programs that are supported by County funds. General Relief recipients in these hotels and facilities would not receive a grant reduction.

The department recognizes that some landlords/leaseholders will refuse to cooperate with the vendor payment requirements. In these rare instances, the department will agree to waive this requirement and issue the entire General Relief grant to the General Relief recipients to enable them to pay their housing cost directly to the landlord.

Mandates and Service Levels:

The changes to the Santa Barbara County General Relief Regulations are allowable under W & I Code Section 17000 et. Seq. and Santa Barbara County General Relief program manual.

Fiscal and Facilities Impacts:

When your Board approved the three month time limitation for Employable General Relief recipients in August, 2004, with an implementation date of October 1, 2004, our department had projected a FY 04/05 potential savings of \$170,800. By extending the implementation of these regulations for four months, until February 1, 2005, we now estimate a potential savings of \$113,867 in FY 04/05, a reduction of potential savings of \$56,933.

When your Board approved the shared housing reductions in August, 2004, with an implementation date of October 1, 2004, our department had projected a FY 04/05 potential savings in the amount of \$147,700. We estimated that implementing a shelter vendor pay policy would result in a general savings; however we were unable to estimate the amount at that time. The proposed amendments to these shared housing and vendor pay regulations may result in a reduction in the estimated savings projected for FY 04/05.

During the FY 04/05 budget process, the Department of Social Services requested additional general funds to cover estimated costs associated with their General Relief program. These additional general funds were never approved based on potential savings that the Department estimated could be generated by regulation changes. The delay in the implementation of these regulation changes may result in a funding shortage in the General Relief program in FY 04/05. The Department should be able to project the amount of this shortage, if any, after mid year figures have been calculated.

Special Instructions: After execution by the chair, please return one certified copy of the minute order to the Social Services Department attention Jennifer Lock.

Concurrence:

Santa Barbara County Counsel
Santa Barbara Auditor Controller

90-100 Application Requirements

A person who meets the following requirements is eligible for General Relief on behalf of him/herself or family.

All General Relief benefits received by or paid on behalf of an individual or family are loans and, as such, must be repaid to the County.

GENERAL RELIEF PROGRAM REGULATIONS

RESIDENCY

90-101

90-101 Residency

- .1 The applicant must have been a resident of Santa Barbara County for at least 15 days. The place of residence shall be as defined by law. All applicants for General Relief must provide evidence of intent to reside within the County of Santa Barbara.

- .2 Continued physical presence in Santa Barbara County is required of the applicant or recipient unless temporary absences are reported in advance and approved.
 - .21 Exception: physical presence may be waived if the recipient is outside the County, but is a legal Santa Barbara County resident, if:
 - a) the Director of the Department of Social Services has approved the plan, and
 - b) an agreement is made between Santa Barbara County and the non-responsible county concerning continued legal residence in this County.

- .3 Applicants from other counties residing in alcoholic recovery or other treatment facilities are not eligible to receive General Relief.

90-102 Citizenship and Social Security Number

- .1 The applicant must be a citizen of the United States or an alien legally admitted to the United States for permanent residence. The applicant must provide verification of his/her status as follows:
 - .11 United States citizens – within 60 days of the application date the recipient must provide the Eligibility Worker with one of the following: a birth certificate, baptismal certificate, U.S. passport, certificate of naturalization, or military discharge papers.
 - .12 Alien – prior to the granting of General Relief the applicant must provide the Eligibility Worker with proof of being legally admitted to the United States for permanent residency, and eligible for welfare benefits.
 - .121 The legal sponsor of an alien general relief assistance recipient must sign a written agreement to repay any aid provided to the alien during the period of time during which the sponsor has agreed, in writing, to provide for the alien.
- .2 The applicant or recipient must apply for and provide a Social Security number.

90-103 Age

The minimum age requirement is:

- .1 age 18, or
- .2 any age if married, or
- .3 any age if a legally emancipated minor.

90-104 Employment Status

- .1 The applicant or recipient must not have voluntarily quit employment without good cause (Manual Section 90-303) within the last 60 days.

- .2 The applicant or recipient must not have been discharged by his or her employer for failure to comply with work requirements without good cause (Manual Section 90-303) within the preceding 60 days.

- .3 If the requirements of this section are not met by either parent, an entire family shall be ineligible for General Relief.

90-105 Student Status

- .1 The applicant or recipient must not be enrolled in school as a part-time or full-time student unless it is an education or training program approved by the appropriate Division Chief.

- .2 If the requirements of this section are not met by either parent, an entire family shall be ineligible for General Relief.

90-106 Eligibility for Other Assistance

- .1 Applicants or recipients who are potentially eligible for SSI/SSP must apply for such benefits forthwith and if otherwise eligible, shall receive General Relief pending approval. Failure to apply for such assistance or to furnish required information shall render the applicant or recipient ineligible for General Relief.
- .2 Applicants or recipients who have received General Relief or other Public Assistance grants from other jurisdictions for the entire month are ineligible for General Relief.
- .3 Sanctions or period of ineligibility, that have been applied by other aid programs or counties, will be honored in the General Relief Program.

90-107 Outstanding Arrest Warrants

- .1 The applicant or recipient must not be the subject of an outstanding warrant of arrest.

90-108 Liens

- .1 All applicants and recipients shall sign liens when income or benefits are expected from any source such as, but not limited to SSI, Worker's Compensation or personal injury claims.

- .2 All applicants and recipients shall sign liens against real property in which the applicant or recipient has an ownership interest.

90-109 Intentional Program Violation (IPV)

- .1 An individual who had been found to have committed an IPV against the program shall be disqualified from General Relief eligibility. An Intentional Program Violation is a fraudulent intentional act by an individual for the purpose of establishing or maintaining eligibility for General Relief, or for increasing or preventing a reduction in the amount of the grant, and includes but is not limited to
 - .11 A false or misleading statement or misrepresentation, or concealing, or withholding of fact; or
 - .12 Any act intended to mislead, misrepresent, conceal, or withhold facts.
- .2 A conviction of General Relief fraud, or plea of guilty or nolo contendere to such a charge, or a plea bargain concerning a charge of General Relief fraud shall be deemed a finding of IPV.
 - .21 Findings of IPV from another County General Relief or General Assistance program are valid in Santa Barbara County, provided such findings are consistent with the requirements of an IPV as described in this section.
 - .22 An individual is disqualified for six months upon the first finding of an IPV; twelve months upon the second finding; and permanently disqualified upon the third or subsequent finding of an IPV. If the individual is no longer receiving General Relief, the disqualification period will begin after a reapplication for GR assistance has otherwise been approved.

90-200 Commencement of General Relief

- .1 For the purpose of conducting an investigation as to eligibility pursuant to Welfare and Institutions Code 17006, the payment of General Relief shall commence on the day eligibility is found to exist and all verification is provided.

90-201 Waiver of Eligibility Standards - Emergencies

In unusual situations, emergency assistance may be given to persons who do not meet all eligibility requirements, when no other solution to the problem is possible. Every effort should be made to secure the needs through community resources before requesting General Relief through this procedure.

- .1 Emergency situations may include the following:
 - .11 Need for assistance while recuperating from an illness or injury which prevents travel to the county of residence.
 - .12 Need for transportation to get to employment which has been offered, or to get to a location in which support or needed medical care is available.
 - .13 Need for overnight lodging in an emergency, while more permanent plans are being made.
 - .14 Need for cash for food while traveling, pursuant to subsection # .12 above.

GENERAL RELIEF PROGRAM REGULATIONS**EMPLOYABLES****90-301**

90-300 Eligibility Requirements90-301 Employables

An applicant for General Relief is deemed employable if disability is neither claimed nor found. If an applicant or recipient is found to be employable for full-time work or part-time work he/she shall receive General Relief subject to the requirements of the General Relief Employables Program. Failure to comply without good cause shall result in denial or discontinuance of General Relief and sanctions may be applied.

- .1 Applicants and recipients shall meet the following requirements:
 - .11 Accept and retain a job offer unless there is a determination of Good Cause per Manual Section 90-303.
 - .12 Enroll in a Job Search Workshop as directed by the Department.
 - .121 attend all scheduled workshop sessions.
 - .122 meet all the workshop requirements.
 - .13 Attend an assessment interview conducted by an appropriate agency as determined by the Department.
 - .131 accept a reasonable offer of on-the-job training,
 - .132 meet all the requirements, if accepted for training.
 - .14 Participate in the County Work Project.
 - .141 appear on time for scheduled work assignments,
 - .142 satisfactorily complete assigned work.
 - .15 Actively seek employment,
 - .151 contact number of employers as specified
 - .152 submit a list of job contacts as directed.
- .2 Applicants and recipients who do not speak English shall meet the following requirements in addition to those listed in .1 above:
 - .21 enroll in and attend English as a Second Language (ESL) classes.
- .3 Applicants and recipients may be required to accept a referral to Vocational Rehabilitation and participate in a training program.

GENERAL RELIEF PROGRAM REGULATIONS**EMPLOYABLES****90-301**

- .4 All recipients shall complete a renewal of their GR eligibility every 6 months. Failure to appear for the scheduled renewal interview and failure to provide all forms and documents required by the GR-EW shall result in termination of General Relief.
- .5 When a recipient has been referred to a job, a training program, or a work project and is unable to perform the work or training assigned, and claims disability, the individual shall be subject to the requirements as set forth in Manual Section 90-302 pertaining to unemployables.
- .6 Any reasonable additional employment and training activity assigned by the Eligibility Worker or Social Services Worker, after approval by the Director of the Department of Social Services, that will assist the client in becoming employed.

Some examples of these activities are:

- ☐ requiring a recipient to apply for a specific job,
- ☐ requiring a recipient to do additional work searches, and
- ☐ requiring a recipient to report to the Department at a specific time to be assigned an activity.

- .7 Sanctions shall be applied if the recipient fails to comply with the requirements outlined in Manual Section 90-301.1, 90-301.2, 90-301.3 and 90-301.6 without good cause. Noncompliance shall be found to exist if the recipient

.70 fails to register for work with EDD,

.71 fails to meet the requirements of an assigned Job Search Workshop,

.72 refuses a reasonable job offer,

.73 fails to appear for an assessment interview, and fails to attend training if accepted,

.74 fails to meet all the requirements of the County Work Project,

.75 fails actively to seek employment and submit a list of verified employer contacts to the GR-Eligibility Worker weekly,

.76 fails to maintain his/her personal appearance in a way that would be acceptable to prospective employers.

.77 is discharged by his/her employer because of failure to comply with work or training requirements,

GENERAL RELIEF PROGRAM REGULATIONS

EMPLOYABLES

90-301

.78 fails to comply because of the use of alcohol or drugs unless a finding of disability is made as provided in Manual Section 90-302.

.79 quits a job without good cause

.8 The sanction shall be for a period of 180 days beginning the day following discontinuance of benefits for failure or refusal without good cause to follow program requirements.

For purposes of this section, lack of good cause may be demonstrated by a showing of either (A) willful failure or refusal of the recipient to follow program requirements, or (B) not fewer than three separate acts of negligent failure of the recipient to follow program requirements.

.9 Both parents in an aided family shall be required to comply with Manual Section 90-301.1 or 90-301.2 unless they are disabled, care for someone at home who is incapacitated or are the primary caretaker of children at home under the age of six.

.10 Good cause shall be defined per Manual Section 90-303.

.11 Time Limits for Aid to Employable Recipients

.a Benefits to all employable recipients, including employable persons (adults) in married and family cases, shall be granted for no more than three monthly cycles of assistance in a 12 month period, once the applicant/recipient has been offered the opportunity to attend job skills or job training sessions.

.b Twelve Month Period (TMP)

(1) The effective date of this policy is **February 1, 2005**~~October 1, 2004~~.

(2) For new applicants the 12 month period begins the month first cash aid is received.

.c The Three Monthly Cycle Period of Eligibility

(1) The three month cycle period of eligibility includes only months when the recipient is aided as employable. Months when recipients are aided as unemployable are not to be included in the three month limit.

(2) The three month period does not have to be consecutive. Recipients are entitled to any three months in a 12 month period.

.d Sanctions

Employable applicants/recipients are subject to employable and/or system abuse sanctions.

- (1) Sanction periods are to be applied concurrent with periods of ineligibility. If a sanction period lasts longer than the period of ineligibility, the recipient will not be eligible until the sanction period has expired. A new 12 month period will begin when the recipient reapplies and is found otherwise eligible.**

90-302 Unemployables

An applicant for or recipient of General Relief who claims to be disabled for employment, training or the work project shall be required to cooperate with the Department of Social Services in verifying that such disability exists. Failure to comply with the program requirements shall result in the denial or discontinuance of General Relief.

.1 The applicant or recipient shall immediately be referred to the Department of Health Care Services for an examination and evaluation of the individual's disability. This examination and evaluation by Health Care Services must be completed within the first 30 days of aid.

.11 Exception

An applicant or recipient who has current documented information from a medical doctor upon which an Eligibility Worker and supervisor can make an evaluation as required in Section 90-302.2 does not need to be examined and evaluated by Health Care Services.

.2 The Eligibility Worker shall evaluate the information provided by the Department of Health Care Services and make a determination as to the disability for employment, training and/or the County Work Project taking the following factors into account:

.21 nature of the disability

.22 permanence of the disability

.23 work history

.24 ability to perform previous work

.25 suitability for referral to Vocational Rehabilitation.

.3 All unemployable recipients shall be required to complete a renewal semi-annually (every 6 months).

.4 All unemployable recipients shall be seen by the Eligibility Worker no less than every 6 months.

.5 All unemployable recipients shall be referred to Health Care Services for a reexamination and reevaluation at least yearly with the following exception:

- .51 The duration of the disability is less than one year, in such case the recipient shall be
- .521 referred to Health Care Services two weeks prior to the expiration of the duration of the disability if the recipient still claims to be disabled.
- .6 Recipients with treatable disabling conditions will be referred for treatment and must cooperate in carrying out the treatment plan.
- .7 Any additional reasonable requirement assigned by the Eligibility Worker, after approval by the Director of the Department of Social Services, that will assist the client in becoming self-sufficient.
- Some examples of these activities are:
- ≡ requiring appropriate recipients to apply for veterans benefits and/or any other available benefits, and
 - ≡ requiring recipients who are not expected to be permanently unemployable, and who are able to perform some type of work (as per a doctor's statement) to participate in work project and/or become involved in a training program.
- .8 Client shall be discontinued for failure to comply with the requirements of the Unemployables Program without good cause (Manual Section 90-303). Non-compliance shall be found to exist if the recipient:
- .81 fails to appear for appointments scheduled at Health Care Services,
- .82 fails to accept a referral to Vocational Rehabilitation,
- .83 fails to cooperate with Vocational Rehabilitation,
- .84 fails to cooperate in a treatment plan.
- .9 Requirements as specified in Manual Section 90-302.1 through Manual Section 90-302.7 may be waived with supervisory approval.

90-303 Good Cause

Good cause shall be found to exist if any one of the following occurs:

- .1 illness verified by a medical doctor,
- .2 verified mandatory court appearance,
- .3 verified jury duty,
- .4 work conditions that render employment unsafe,
- .5 employment pays less than the minimum wage, allowed by law.
- .6 transportation to employment is unavailable
- .7 employer discrimination based on age, race, sex, color, handicap, religion, national origin, political belief, or sexual orientation,
- .8 other situation as determined by the General Relief Eligibility Worker and Supervisor.

90-304 Property

- .1 Definition – property may be, but is not limited to:
 - .11 Personal property
 - .110 cash on hand
 - .111 bank accounts
 - .112 stocks and bonds
 - .113 trust deeds
 - .114 cash surrender value of insurance policies
 - .115 funds placed in trust for funeral/burial expense
 - .116 household furnishings/personal effects
 - .117 motor vehicles
 - .12 Real property is the home and other real estate not used as a home in which the applicant or recipient has an ownership/beneficial interest.
- .2 Property limits – An applicant or recipient may retain the following and remain eligible for General Relief:
 - .21 assets as listed in Manual Section 90-304.110, .111, .112, .113 combined not to exceed.....\$ 50
 - .22 cash surrender value of insurance policy.....\$ 500
 - .23 household furnishing/personal effects.....\$ 500
 - .24 funeral/burial reserves.....\$ 500
 - .25 one motor vehicle if required for transportation to seek employment, shop or participate in a department-approved plan to achieve self-support.....\$1500
 - .26 real property if used as a home is exempt, provided the net equity is \$5,000 or less (assessed value minus bona fide encumbrances). Ownership of real property other than the home shall render the applicant/recipient ineligible.

.261 In any event, a lien shall be filed in accordance with Manual Section 90-108.2.

.3 Transfer of Property

Transfers of property made to qualify for aid or for a greater amount of aid result in ineligibility.

.31 If property transferred would have affected the eligibility of the applicant or recipient or the amount of grant to which he or she was entitled, the purpose and intent of the transferor must be evaluated.

Although only the person concerned can state what his or her intent was in transferring property, his or her actions can support or contradict such a statement, and his or her real intent can be determined only by consideration of all the facts.

.311 Applicants and recipients are responsible, insofar as able, to give all available information to assist the county in determining whether a transfer of property was made in order to qualify for aid or to qualify for a larger amount of aid. Recipients are also responsible for immediately notifying the county of any transfer which occurs after aid is granted.

.312 If the transfer occurred more than two years prior to the date of application for General Relief, there is a presumption that the transfer was made in good faith and not for the purpose of qualifying for aid.

.313 A transfer of property in which the grantor receives fair consideration, in light of current property values, in return for his or her equity does not result in ineligibility provided the resultant holdings are within the maximum allowed.

.314 When an applicant or recipient claims that his property holdings have been reduced within the statutory maximum but is unable account satisfactorily for the disposition of the property, there is a presumption that the property was transferred for the purpose of qualifying for aid.

.315 There is a presumption that a transfer of income producing personal property is for the purpose of qualifying for a greater amount of aid. Unless this presumption is overcome, ineligibility results.

.32 After a transfer of property which resulted in ineligibility, the period of ineligibility to General Relief begins the first day of the month following that

in which the transfer occurred. This period is not extended because of income received during the period.

- .321 The duration of ineligibility is the period during which the amount of property in excess of the regulatory maximum at the time of transfer would have supported the grantor and those dependent on him or her.
- .322 To compute the period of ineligibility, use the current General Relief standard of assistance as the monthly maintenance need.
- .323 The period of ineligibility ends if the property which was transferred and which caused ineligibility is reconveyed to the grantor or if he or she receives reasonably adequate consideration for it subsequent to the transfer.

90-305 Consideration of Income

.1 General

All income, including income in kind, received by the Assistance Unit (AU) (applicant, recipient, and/or spouse) shall be considered income in the month received, except as provided in 90-305.3.

The total gross amount of income available during a month is determined first. Then exemptions, deductions and treatment of income are determined.

.2 Income Definitions

Income, generally, is any benefit in cash or in-kind which is currently available to the individual or is received by the individual as a result of current or past labor or services; business activities; interests in real or personal property; a contribution or loan from persons; organizations, or assistance agencies; income tax refunds; etc.

.21 Earned Income

.211 Earned Income is income received in cash or in-kind as wages, salary, commissions or profit from activities such as business enterprise, farming, etc., in which the application/recipient is engaged as a self-employed individual or as an employee.

(a) Earned income also includes:

- (1) Earnings over a period of time for which settlement is made at one given time, as in the instance of sale of farm crops, livestock or poultry, other than the sale of an entire holding.
- (2) Returns from personal or real property, such as income from rental of rooms or board and room.
- (3) Training incentive payments.
- (4) Earnings from on-the-job training and public service employment.

.22 Income-In-Kind

Income-in-kind is any benefits received other than cash. It is the value of need items provided at no charge: i.e., food, shelter, clothing and transportation.

- .221 The in-kind income amounts for housing shall be established by the Board of Supervisors & shown in Regulation Attachment 2.

Individual in-kind amounts shall be adjusted by the same percentage increase or decrease that is applied to the General Relief Maximum Grant levels as determined by the Board of Supervisors. Such adjustments to the in-kind income amounts shall be effective at the same time as adjustments to the grant levels become effective.

- .222 If the applicant or recipient is charged less for housing than the in-kind income amounts shown in Regulation Attachment 2, the amount of in-kind income shall be the difference between the in-kind established in Regulation Attachment 2 and the amount actually charged to the applicant or recipient.

.23 Interest Income

Interest on a savings account in a bank, savings and loan association, or other institution authorized to accept savings and interest which is received as a result of any contractual obligation.

.24 Voluntary Contributions

A voluntary contribution is a contribution for which the contributor has no legal liability and for which the contributor does not derive a benefit from the contribution.

.25 Non-recurring Lump Sum Income

Non-recurring lump sum income is any unearned income received that is nonrecurring in regard to the amount or source.

.3 Availability of Income

- .31 All income received during a month is considered available in that month with the following exceptions:

.311 An employee under an annual contract of employment shall have the income from such contract apportioned equally over the period of the contract, beginning with the first month of the contract, even though he works and receives income from such contract in fewer than twelve (12) months.

- .32 Income shall be considered unconditionally available if the applicant or recipient has only to claim or accept the income.

.33 Income normally received on a regular basis shall be considered available even though the check or cash has been lost, stolen, or destroyed. General Relief shall not be utilized to replace regular income or missing benefits including SSI/SSP benefits.

.34 Income received by all assistance unit members living with the applicant/recipient is available in the month received, except as provided in 90-305.311.

.4 Verification of Income

All income whether exempt or not, shall be verified as to its source, amount, and date of receipt.

.5 Exempt Income

.51 Twenty percent (20%) of earned income, as defined in Section 90-305.21 received in any month shall be exempt if reported timely and the applicant/recipient is otherwise eligible for General Relief.

.511 The exemption is not applicable when determining financial eligibility of applicants.

.512 The exemption is not applicable to earnings paid as an in-kind benefit, i.g., free rent in exchange for managing an apartment building.

.52 Income/Terminated Source

The income received during the budget month shall not be considered income to the assistance unit for retrospective budget in any payment month when it has been verified that the income derives from a terminated source.

.53 Self Employment Income

The amount actually spent on reasonable business expenses is exempt.

.6 Financial Eligibility

a. The Assistance Unit (AU) is financially eligible for any month in which, on the first of the month, the combined actual or estimated net non-exempt income for the month is at least \$10 less than the maximum Aid Payment (MAP).

- 1) To determine actual or estimated income for financial eligibility, use all countable income less mandatory deductions on earnings.

.7 Treatment of Income

.71 General

.711 All net non-exempt income of the applicant/recipient and all assistance unit members shall be considered in computing the General Relief grant for individual(s).

.712 To ensure uniformity, weekly income shall be converted to a monthly basis by multiplying the weekly amount by 4.3 or bi-weekly by 2.15. Semi-monthly income shall be multiplied by 2.

.72 Budgeting Methods

A. Prospective Budgeting

1. Prospective budgeting is the method of computing an aid payment for a month, using the estimate of the income reasonably expected to be received in that month. The estimate shall be based on the county's knowledge of past and current income and reasonable expectation of future income.

a. Prospective budgeting shall be used to compute

- 1) The grant for the first and second months that GR is granted following a new application or reapplication.

Example:

If the first month of aid is October, the aid payments for October and November are computed using estimates of income reasonably expected to be received in October and November.

- 2) The grant for the first and second payment months of GR when aid is restored following a break in aid of at least one calendar month.

B. Retrospective Budgeting

.1 Retrospective budgeting is the method used to compute the GR grant for a month using income received in the second

month prior to the payment month. Income information shall be obtained from the Monthly Eligibility Report (CA-7).

- a. Retrospective budgeting is the method used to compute:
 - 1) The GR grant for the third and subsequent payment months, except that income from the budget month which is from a terminated source shall not be counted.
 - 2) The GR grant when aid is restored following a break in aid of less than one calendar month.

.73 Determining Amount of Aid

The amount of the General Relief grant shall be calculated as follows:

- .731 Determine the maximum aid payment (MAP) for the appropriate assistance unit (AU) size.
- .732 Determine income to the assistance unit (AU).
 - a. Gross unearned income is counted.
 - b. For earned income, use gross earnings less 20%, if reported timely.
- .733 The amount of the General Relief grant shall be the difference between the Maximum Aid Payment (MAP) for the appropriate assistance unit (AU) size and the net non-exempt income determined available to the Assistance Unit.

.74 Lump Sum Income

- .741 All nonrecurring net non-exempt lump sum income received by a General Relief recipient shall be utilized to meet the recipient's needs.
- .742 A period of ineligibility shall be determined by dividing the net non-exempt lump sum income by the appropriate General Relief basic need level for the General Relief recipient(s). The resulting figure will be the period of ineligibility.
- .743 Shortening the Period Of Ineligibility

- a. The period of ineligibility may be shortened when the ineligible applicant/recipient does not have income or resources, other than the lump sum payment, sufficient to meet needs that result from a sudden and unusual circumstance(s) of a life threatening nature beyond the control of the recipient. For example: fire, flood, automobile accident, etc.

- b. All or part of the lump sum must have been used both to meet the needs of the person(s) prior to the occurrence of the life-threatening circumstance(s) and to meet emergency medical, shelter, utilities, clothing and/or food needs that resulted from such circumstance(s). Verification of the expenditures for emergency items or services shall be required.
 - 1) When lump sum income is used to meet needs resulting from a life threatening circumstance(s), as set forth above, the EW shall apply the following formula to reduce the period of ineligibility.
 - 2) Subtract from the lump sum income the amount actually used to meet the needs of the ineligible person(s) resulting from the life threatening circumstance(s).
 - 3) Use the remainder from this subtraction and apply the lump sum calculation to establish a revised period of ineligibility.

 - 4) The revised period of ineligibility shall begin with the same pay period as the originally calculated period of utilization.

 - 5) The period of ineligibility may be shortened when the maximum General Relief grant is increased for the ineligible recipient(s) due to an increase in the Santa Barbara County General Relief Grant Levels.
 - a) No overpayment report is required.

.75 Income Results in Ineligibility

For each month net non-exempt income exceeds the basic need level by \$10 or more, the applicant/recipient is ineligible for General Relief for that month.

.8 Potential Income Resources

The applicant or recipient shall take all necessary steps to utilize all potential income resources.

.81 Resources With Income-Producing Potential

Resources with income-producing potential include, but are not limited to:

.811 Social Insurance, i.e., RSDI (including Social Security Retirement at age 62), Railroad Retirement, Veterans Benefits, Unemployment Insurance, State Disability Insurance, SSI/SSP, AFDC, etc.

.812 Rights and interests in real and personal property.

.813 Relatives, sponsor, or other persons who may be contributing or willing to contribute,

(a) Whenever the applicant/recipient is residing with a relative or sponsor, contributions from the person for basic need items must be explored as a resource.

.814 Private pension plans, union welfare funds, life insurance, private disability benefits, accident, worker's compensation, or damage suits.

.82 Granting Relief Pending Receipt of a Potential Income Resource

General Relief benefits may be granted to an otherwise eligibility applicant/recipient pending receipt of the potential resource provided that the applicant/recipient is making a diligent effort to obtain the resource. A lien may be required for repayment.

.821 Temporary assistance shall not be paid when the potential resource is AFDC.

.83 Failure to Utilize or Maintain a Financial Resource

Ineligibility shall result if the applicant/recipient refuses, without good cause, to:

.831 Utilize and/or maintain an income producing resource that is available.

.832 Through his/her actions make a financial resource unavailable.

.833 The period of ineligibility shall be one (1) month.

90-306 Applicant and Recipient Responsibilities

All applicants and recipients have specific responsibilities. Failure to meet any responsibility, without good cause, shall result in the denial or discontinuance of General Relief.

.1 Applicants and recipients must

- .11 provide all information requested by the Department necessary to determine their initial and continuing eligibility within the time frame specified by the Department,
- .12 provide verification of any requirement requested by the Department within the time frame specified by the Department,
- .13 report to the department, within five calendar days of the occurrence, any changes which affect their eligibility,
- .14 complete the renewal,
- .15 maintain contact with the Eligibility Worker by appearing in person at the office at the request of the eligibility worker,
- .16 apply for unconditionally available income and make themselves eligible for benefits such as UIB,
- .17 if employable, meet the requirements specified in Manual Section 90-301,
- .18 if unemployable, meet the requirements specified in Manual Section 90-302.

.2 Monthly Reporting Responsibilities

- .21 All General Relief households participating in the General Relief program shall report household circumstances and income monthly on the CA-7, Monthly Income Report, as a condition of eligibility.

.211 Criteria for Evaluating Information Reported on the Monthly Reporting Form (CA-7)

- a. For General Relief purposes, a CA-7 is complete when all the following requirements are met:

- (1) The date the CA-7 is signed shall be no earlier than the first day of the report month.

- (a) This requirement is met when the date entered on the CA-7 by the recipient, together with other dated material provided with the CA-7 and the date on which the department mailed or gave the CA-7 to the recipient, clearly establishes that the CA-7 was signed no earlier than the first day of the report month.
- (2) This requirement does not apply when:
 - (a) The first day of the report month falls on a non-postal delivery day.
 - (b) The CA-7 is mailed by the department for delivery on the last postal delivery day of the budget month; and
 - (c) The recipient signs and dates the CA-7 on or before the last day of the budget month.
- (3) The address, along with other information provided on the CA-7, shall be sufficient for county administrative purposes, including the ability to locate the recipient; and
- (4) The CA-7 shall be signed by each recipient living in the home.
- (5) The CA-7 must include the number of days and hours worked for a wage earner if he/she is an assistance unit member.
- (6) The response to all questions pertaining to GR eligibility and grant amount shall provide the department with information sufficient to answer the question. The information provided on the CA-7, together with the submitted evidence, must be sufficient for the county to determine eligibility and/or grant amounts. Reported income shall include earned, unearned, exempt, and non-exempt income received during the budget month; and
- (7) Evidence shall be submitted with the CA-7 to verify the gross amount of all earned income received, the mandatory payroll deductions, and the date of receipt. Evidence shall be submitted to verify initial receipt of or a change in the amount of unearned income received.

Such evidence includes, but is not limited to: pay stubs, letters of award or benefits (such as unemployment, disability, or Social Security), statements showing interest income, dividend income, tax return showing the amount of EIC received, etc. Documents and records submitted with the CA-7 shall be promptly returned to the recipient; and

- (8) Information reported on the CA-7 must be consistent with other information which the county has verified to be accurate.
 - b. Failure to provide the information or evidence specified above shall result in the discontinuance of the General Relief cash/aid benefit.
- .22 General Relief recipients, in addition to the quarterly or semi-annual completion of a reinvestigation, must complete and return the CA-7 to the County Department of Social Services (DSS) by the fifth calendar day of each report month, but not before the first calendar day of that month. CA-7's not received by the eleventh of the month shall be considered late.
- .221 Late CA-7's
- a. When the CA-7 is not received by the eleventh day of the report month or the CA-7 is received but is not complete in accordance with the completeness criteria specified in Section 90-306.4a, the department shall send the appropriate discontinuance notice.
 - b. If the recipient contacts the DSS office by the close of business on the first working day of the payment month to report nonreceipt of his or her warrant, the Department shall inform the recipient of any pending discontinuance due to nonreceipt of a complete CA-7 and shall inform him/her that the discontinuance will be rescinded if a complete CA-7 is received by the end of the close of business the first working day.
 - c. Documents and/or evidence required of the applicant/recipient to support the initial and/or continuing determination of eligibility must be received by the county on or before the appropriate deadline established by the county and/or in conjunction with each eligibility chapter of these regulations.

However, when the deadline falls on a Saturday, Sunday or holiday, the documents and or evidence received on the first business day following the weekend or holiday shall have the same effect as if it had been received on the required day.

- d. Aid shall not be discontinued solely because of circumstances beyond the control of the recipient which prevents reporting changes within five calendar days or the prompt return of the Monthly Income Report (CA-7).

.222 Processing Late CA-7's

If a complete CA-7 is received after the eleventh day of the reporting month, but on or before the first working day of the payment month, the Department shall;

- a. rescind the discontinuance action; and
- b. determine eligibility based on the information reported on the CA-7;
- c. impose a penalty for failure to submit a timely report of earnings. The penalty shall be the disallowance of the 20% earned income disregard.

- (1) The Department shall not impose this penalty if the recipient had good cause for failure to submit a timely report of earnings.

- d. The Department shall impose the penalties for late reporting as specified above only under the following circumstances:

- (1) The recipient's CA-7 is received initially by the department after the eleventh calendar day of the report month; or

- (2) The recipient's CA-7 was submitted by the eleventh calendar day of the report month, but the specific section dealing with the information and/or evidence required to document the amount of earned income was not complete when received, and the recipient has not provided this information and/or evidence by the eleventh calendar day of the report month.

.233 Good Cause Determination for Failure to Submit a Complete CA-7 Timely

A recipient may have good cause for not meeting the monthly reporting requirements. Good cause exists only when the recipient cannot reasonably be expected to fulfill his/her reporting responsibilities due to factors outside of his/her control. The burden of proof rests with the recipient.

- a. A good cause exemption determination shall only be granted if the request is made by the recipient or an authorized representative.
- b. Good cause exists in only the following situations:
 - (1) When the recipient is suffering from a mental or physical condition which prevents timely and complete reporting.
 - (2) When the recipient's failure to submit a timely and complete report is directly attributable to county error.
 - (3) When the county finds other extenuating circumstances which warrants the recipient's failing to meet monthly reporting requirements.
- c. When the recipient has good cause for not reporting timely, the county shall
 - (1) rescind the discontinuance; and
 - (2) allow the earned income disregard.

90-307 Responsible Relatives

- .1 The spouse of an applicant or recipient, or parent of an unmarried minor applicant or recipient of General Relief is a responsible relative.

- .2 The ability of all such relatives to contribute to the applicant's or recipient's support shall be determined and a contribution required from all who are able to contribute.

90-400 Notice of Action

Notices of action shall be sent to applicant and recipients when aid is granted, denied, discontinued, increased, or decreased.

- .1 A notice of action granting General Relief shall include the following:
 - .11 amount of assistance rendered, and
 - .12 whether assistance is in cash or in-kind.

- .2 A notice of action denying General Relief shall include the following:
 - .21 the reason for denial,
 - .22 the appropriate manual section(s), and
 - .23 information regarding the right to appeal.

- .3 A notice of action discontinuing General Relief shall meet the timeliness requirements as specified in Manual Section 90-400, and shall include the following:
 - .31 the reason for the termination,
 - .32 the appropriate manual section(s),
 - .33 information regarding the right to appeal, and
 - .34 information regarding aid paid pending.

- .4 A notice of action decreasing the aid paid shall meet the timeliness requirements as specified in Manual Section 90-400, and shall include the following:
 - .41 the reason for the decrease,
 - .42 the computation, and
 - .43 information regarding the right to appeal.

- .5 The recipient shall receive no less than 10 days' timely notice prior to the discontinuance or decrease of General Relief except in the following circumstances, although the county shall send adequate notice no later than the effective date of the action stating the reasons for discontinuing aid, the appropriate manual section(s), and information regarding the right to appeal:
 - .51 The county has official information confirming the death of a recipient;

 - .52 The county receives an unequivocal written statement signed by the recipient that:
 - a. he/she no longer wishes General Relief benefits, or

- b. he/she understands that information given to the Department by the recipient requires discontinuance or reduction of aid;
- .53 The county has factual information from the relevant law enforcement agency or District Attorney or from the recipient confirming the likelihood of the recipient's continued incarceration in a penal institution when criminal charges are pending;
- .54 The county has authenticated information confirming the recipient is voluntarily or involuntarily a resident in a public or private institution, hospital, or facility wherein the necessities of life are provided;
- .55 The whereabouts of the recipient are unknown and the county mail directed to him/her has been returned to the Post office, indicating no known forwarding address.
- a. unless otherwise ineligible to receive benefits, the person's aid payment shall be made available to him/her if his/her whereabouts become known during the payment period covered by the returned check.
 - b. Any payment due to a vendor shall not be made available for the period during which the recipient's whereabouts were unknown;
- .56 The county has factual information from the Department of Social Services or relevant agency or from the recipient confirming the recipient is eligible or in receipt of Public Assistance under Chapter 2 (commencing with Section 11200) of Part 3 of the Welfare and Institutions Code;
- .57 The county has factual information confirming the recipient is in receipt of any lump sum that renders the recipient ineligible provided a lien against that lump sum has been filed by the Department of Social Services.
- .58 The county has factual information confirming the recipient moved outside the county;
- .59 Exceptional Needs Aid was granted to the recipient pursuant to Section 90-500.2 for a specific period of time and Special Needs Aid is terminated at the end of this period provided the recipient was informed in writing at the time of initiation of the special needs aid that the special needs aid shall automatically terminate at the end of the specified period;
- .60 General Relief aid was lawfully granted to the recipient for a specific period of time and the aid is terminated at the end of this period provided the recipient was informed in writing at the time of the initiation of the aid

that the aid shall automatically terminate at the end of the specified period. This provision does not otherwise affect a person's eligibility to receive General Relief benefits.

.61 Deleted January 1992.

90-401 Appeal

Applicants or recipients may appeal the denial, reduction or discontinuance of General Relief by requesting an Administrative Review.

- .1 The request for an Administrative Review must
 - .11 be made in writing and signed by the applicant or recipient, or his/her representative, and
 - .12 be received by the Department of Social Services prior to the effective date of the intended discontinuance, or
 - .13 be received by the Department of Social Services within 10 calendar days from the mailing date of the notice or the date of the action denying General Relief, whichever is later.
- .2 The Department shall:
 - .21 notify the claimant, in writing, of the time, date, and place of the review no less than 3 days prior to the hearing, allowing 5 mailing days unless the notice is handed to the applicant or recipient.
 - .22 conduct the review and render a decision
- .3 Aid paid pending shall:
 - .31 not be paid to applicants whose aid has been denied.
 - .32 be paid to recipients whose aid has been discontinued if:
 - .321 the request is in writing, and
 - .322 the request is made within 10 days of the effective date of the intended action, and
 - .323 the recipient is eligible for aid disregarding the alleged reason for discontinuance.
 - .33 be paid to the recipients until a decision is rendered, or the recipient is no longer eligible for aid for a reason not related to his/her original appeal. If appropriate, any sanction applied to an individual shall commence after the unfavorable decision.
- .4 Aid paid pending

Aid paid pending an Administrative Review decision is a recoverable overpayment except to the extent that the claim is granted.

- .5 Continuance shall:
 - .51 be made in writing,
 - .52 be granted upon good cause,
 - .53 be granted for no more than 5 days,
 - .54 not be granted if the adjudicator officer finds that the request is frivolous or that there is no possibility of success.
- .6 An appeal shall be denied if the applicant/recipient or his/her representative fails to appear at the review and fails to contact the Department by the end of the business day of the date of the review.
- .7 The decision rendered shall be final except as provided by Santa Barbara County Code Section 2-100, Appeal of Administrative Decision.

90-500 Assistance Standards

.1 The General Relief standard of aid, inclusive of special needs, shall be established pursuant to Welfare and Institutions Code 17000.5 and further described in Regulation Attachment 1

.2 **If the single applicant/recipient shares housing with unrelated persons or with persons who are not legally responsible for the applicant/recipient, aid payment levels are reduced by the following percentages:**

		Max Aid
Shares housing with one	15%	\$ 255
Shares housing with two	20%	\$ 240
Shares housing with three or more	25%	\$ 225

Shelters, licensed board and care facilities, hotels that provide extremely low cost rooms to indigents who would otherwise be homeless and facilities that operate programs that are supported by County funds are exempt.

.12 A person living as a member of a household including persons receiving public assistance shall be aided using the following standard. Such persons include, but are not limited to Unrelated Adult Males in the AFDC household, the unaided father of an unborn child when the mother is aided as an AFDC Assistance Unit of one, children over 18, and grandparents.

Family means two or more of the following individuals living together:

- a. a child or children,
- b. the parent, parents or stepparents of the child or children.

.121 The maximum aid shall be that additional amount an AFDC family would receive if the General Relief recipient were receiving AFDC with the family.

.122 Income of the General Relief recipient shall be deducted from the maximum payment for General Relief.

.13 The standard of aid for recipients in board and care facilities shall be the payment level authorized under SSI/SSP regulations.

.14 If the recipient(s) is (are) homeless, the inkind values for housing shown in Regulation Attachment 2 shall be deducted from the maximum payment level, providing housing is realistically available.

.15 Proration of the General Relief grant.

- .151 When the beginning date of aid is on the first day of the month, the recipient shall be entitled to receive a payment for the full month.
- .152 When the beginning date of aid is after the first of the month, the total grant shall be prorated. The prorated grant shall be computed as follows:
 - a. determine the total monthly grant amount;
 - b. determine the actual number of days in the month;
 - c. divide this number into the monthly grant amount to determine the daily grant;
 - d. determine the total number of days for which the recipient is eligible in that month including the first and last day of aid for that month; and
 - e. multiply this number by the daily grant amount to determine the prorated grant.

.2 Amount of Aid: Exceptional Needs

County funds may be expended to meet extraordinary circumstances under the authority of Section 26227 of the California Government Code.

- .21 A recipient may be eligible for an exceptional need allowance when the county verifies that the need occurs for reasons not common to a majority of recipients, that it is essential for support, and that it cannot be met by any other resource. Exceptional needs may be allowed with approval on an individual case basis, when exceptional circumstances exist. Recipients may be required to sign agreements to reimburse the County for the amount of the special need rendered.
 - .211 The appropriate Division Chief must approve the granting of an exceptional need.
 - .212 An allowance may be granted with the approval of the appropriate Division Chief to return persons to other counties or states where resources such as employment, relatives or other social services may be available.
 - .213 The County has sole discretion to determine the existence or non-existence of exceptional needs.

- .22 Specifically excluded as an Exceptional Need: court fines, court-ordered child or spousal support payments, or other court-ordered assessments.

90-501 Method of Payment

- .1 Aid payment will be made in cash, in-kind, or by vendor payment.
- .2 **The portion of the payment for shelter/housing costs shall be made only by vendor payment. If the landlord/leaseholder refuses to accept vendor payment, the monthly rent payment may be issued directly to the recipient.**

90-800 Overpayments

.1 General

- .11 An overpayment is that amount of aid payment a recipient has received to which he or she is not eligible. An overpayment may be all or a portion of an aid payment. This includes aid paid pending an Administrative Review. (See Manual Section 90-401.4)
- .12 The county shall take all reasonable steps necessary promptly to correct and collect any overpayments that are known to the county. This includes recovery of overpayments due to either applicant/ recipient and/or county errors.

90.800.2 Method of Overpayment Recovery

- .21 The amount that can be recovered is the total amount calculated under Manual Section 90-800.3.
- .22 Overpayments shall first be recovered by grant adjustment. The following method shall be used;

- .221 Determine the total available resources (General Relief grant, income and liquid assets) in the payment month.

- .222 Determine the required need allowance.

Multiply the Maximum Aid Payment plus any special needs by .90 and round the amount to the nearest dollar.

- .223 Determine the maximum adjustment amount.

If the amount from (.221) is larger than the amount in (.222), the department shall grant adjust the overpayment. The amount determined by subtracting (.222) from (.221) is the amount to be recovered for that month unless the grant amount before adjustment or the overpayment balance is less.

- .224 Adjust the aid payment.

The overpayment is to be adjusted from the current aid payment. If the current aid payment is not enough to recover the entire overpayment, then the remaining amount of the overpayment is applied to succeeding month(s), and the grant adjustment process is repeated.

.23 If a recipient owes a balance on a client-caused overpayment at the time of discontinuance of General Relief benefits, the method of recovery described in .22 shall then be used. If a balance is owed at the time of reapplication, the method of recovery described in .23 shall be used.

.3 Calculation of the Overpayment

.31 Overpayment due to "excess property"

.311 Determine the value of the property which exceeds allowable property held under Manual Section 90-304.

.312 The overpayment is the amount of property held in excess of property limits each month aid was issued, up to the amount of aid paid each month, less the value of work performed in the work project (hours worked x prevailing wage at the time work was performed), less the value of any reimbursement made to the county for the General Relief aid paid. Reimbursement will be credited first against any aid correctly paid.

.32 Overpayment due to income or need or circumstances other than excess property

.321 The Department will compute the correct grant based on correct information for the month involved in the overpayment. If the recipient was totally ineligible for that month, the correct grant amount is zero (0).

.322 The county shall deduct the value of any reimbursement for General Relief aid for the month involved from both the aid paid and the correct grant amount.

.323 The county shall deduct the value of work performed in the County Work Project (hours worked x prevailing minimum wage at the time work was performed) from both the amount of aid paid and the correct grant amount.

.324 The county shall subtract the remaining amount of the correct grant from the remaining amount of the aid paid. The result is the amount of the collectable overpayment.

Example:	\$300.00 Aid Paid	\$200.00 correct grant
Less reimbursement	- 50.00	- 50.00
Less value of work In County Work Project	<u>- 100.00</u> \$150.00	<u>- 100.00</u> \$ 50.00
	\$150.00	
	<u>- 50.00</u>	
	\$100.00 Collectable Overpayment	

GENERAL RELIEF STANDARD OF AID

HOUSEHOLD SIZE	MAXIMUM GRANT
1	\$ 300
2	\$ 403
3	\$ 504
4	\$ 608
5	\$ 708
6	\$ 811
7	\$ 915
8	\$1016
9	\$1119
10	\$1221
Each additional person	\$ 102

MONTHLY IN-KIND INCOME VALUES

SIZE OF HOUSEHOLD	HOUSING (INCLUDING UTILITIES)
1	\$209
2	\$234
3	\$293
4	\$353
5	\$411
6	\$471
7	\$532
8	\$590
9	\$650
10	\$709
Each additional person	\$ 59

**GENERAL RELIEF STANDARD OF AID FOR SINGLE
APPLICANTS/RECIPIENTS SHARING HOUSING**

SHARES HOUSING*	MAXIMUM GRANT
Shares Housing with 1	\$ 225
Shares Housing with 2	\$ 240
Shares Housing with 3 or more	\$ 225

* Shares Housing with unrelated persons or with persons who are not legally responsible for the applicant/recipient