

# CCWRO Welfare News

Coalition of California Welfare Rights Organizations, Inc.  
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## Address in the County is not a Requirement for Eligibility of Calworks.

A CalWORKs recipient living in Santa Clara County moved to another county in August 2009 and never tells the county of the move. In March 2010 welfare fraud investigators discover that the family was living in another county. The family's circumstances were unchanged. The only difference was that the recipient was not living in Santa Clara County, but in another county within the State of California. The welfare fraud investigators believed that this was a big fraud case of over \$5,000 and were ready to commence felony prosecution. The recipient filed for a state hearing. On October 5, 2010, Santa Clara County asked for a DSS policy interpretation stating "...there is an overpayment due to the client's failure to report the information timely."

On October 11, 2010 DSS responded: "No, there is no overpayment in this case. While a change of address is one of the mandatory mid-quarter reports under quarterly reporting regulations, the county may not assess an overpayment when the client fails to report a change of address unless it involves a move out of state (see also ACL 03-18, page 73). Furthermore, MPP 42-400 specifically states that residence in the county is NOT a requirement for receipt of aid."

## COUNTY CLIENT ABUSE REPORT

● **CWD Victim Comes in for Scheduled Redetermination Appointment – Los Angeles County Welfare Worker at Southwest Family District #83 is AWOL.** On 10-14-10 Ms. S.G.- B1C5V45 received a letter scheduling her for a redetermination appointment for 11-15-10 at 12 noon. She arrived at the Los Angeles DPSS Southwest Family District #83 office at 12 noon. She checked in the window and waited for three (3) hours and no one called her. Because her ride had other business, so she left after waiting for three hours. She now has a letter terminating all of her benefits because she refused to do her annual redetermination. She wonders if anybody is stopping the paycheck of the people in charge of District #83 who let this happen.

● **San Diego County Denies Application for Failure to Provide Something.** Mr. R.C. has been trying to apply for CalWORKs and Food Stamp benefits for herself and her child in San Diego County for months. Her last attempt to apply was for November 2010 at the El Cajon Office. She went to the office on 11-12-10 to apply for benefits and asked for immediate need. Her face-to-face appointment was scheduled for 11-15-10. She went to the appointment with her mom to have a witness. She provided all of the verification except for a bank statement. The worker told her that she would have to come back the next day for orientation. On 11-16-10 at 9:15 she came in and went through the orientation process. She also submitted the requested bank statement. After orientation, she went home with an EBT card, but no money on it.

She then received a notice of action (NOA) dated 11-16-10 stating that she had until 11-27-10 to give the county bank verification that she provided on 11/16/10. She soon received another letter dated 11-17-10 denying her application for "failure to provide". The notice did not state what she failed to provide.

● **Shasta County Imposes Sanction without Timely Notice. Unlawful Action Upheld By Hearing Officer.** Ms. 2010027340 received a notice of action (NOA) from Shasta County on January 19, 2010 which stated effective 2-1-10 the benefits would be reduced from \$480 to \$273 a month.

DSS regulation 42-721.23 provides that "Upon determination that an individual has

failed or refused to comply with program requirements, the CWD shall send the individual a notice of action effective no earlier than 30 calendar days from the date of issuance."

This unlawful action of Shasta County was presented as a valid action under oath at a state hearing by a Shasta County Welfare Department representative when a 30-day notice as required by state regulations was not given to the victim.

● **Kern County Insists that a WtW Sanction is Valid and that the 60-Month Clock Has Run Without Evidence Supporting their Contentions.** Effective April 2010, Kern County issued an NOA imposed a WtW sanction against Ms. 2010146293 and asserting that her 60-month time had expired. The victim filed for a state hearing. At the hearing, the county representative testified under oath that the county could not prove any act that would cause Kern County to impose a sanction. The same county representative also testified that the county could not prove that the 60-month time clock had expired. Fortunately, the Administrative Law Judge did not uphold the county's unlawful acts against this victim.

● **Sonoma County Imposes Sanction Against a Working Mom.** Ms. 20100152326 has worked part-time at a coffee shop for two (2) years. The coffee shop employs her less than 32 hours a week, thus, she is being asked to perform unpaid labor to make up the rest of the hours. She already volunteers at a neighborhood animal sanctuary, but that must be approved by another agency contracted with the county to control the unpaid labor part of the Sonoma County WtW program. At the hearing, the victim testified that she had transportation problems and illness problems. However, this did not deter the county and the Judge from upholding the primary purpose of the WtW program – sanctioning a working mom.

● **Sacramento County Terminates Benefits for Failure to Submit a QR-7. The County Never Mailed Her a Blank QR-7.** Ms. 1B27D44 had just started receiving aid when she received a NOA terminating the benefits for alleged failure to submit a QR-7. It seems the county never mailed her a blank form. How could she turn in a QR-7 that she never got?

## California Homeless Assistance Update

During September 2010 counties received 5,483 requests for homeless assistance. Counties acted on 5,249 of those cases. 81% of the cases were approved.

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