

**County of San Diego, Health and Human Services Agency (HHS)A)
CalWORKs Program Guide**

Property Items To Be Included In Evaluating Property Which May Be Retained

Number

42-200.C

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Revision Date:

January 1, 2023

Background:

State regulations require real and personal property be considered when it is available. An Assistance Unit (AU) may retain countable resources in accordance with the established limits.

Purpose:

This section describes countable property regulations. The purpose of this material revision is to reformat this section and to renumber this section from CalWORKs Program Guide (CPG) 42-200.E to 42-200.C. There is no policy change.

Policy:

Real Property to Be Included

In addition to the items listed in the definition of real property in the "definition" section, the following are to be included as real property:

- Cemetery property held for profit
- Stocks in a water company not appurtenant to the land in furnishing water for agricultural purposes

Real property owned by a customer includes real property which:

- Secures any of their debts
- Is being purchased under a contract of sale, mortgage or deed of trust
- Is being held by them under contract of sale, but the contract has not actually been signed
- Is being held with retention of life estate
- Is held in trust and is available for disposition or use
- Is held in an undistributed estate and is available for use prior to distribution
- Is being sold and is held in escrow

Personal Property to Be Included

In counting resources of AUs with Individual Retirement Accounts (IRAs) or accessible Keogh plans, the total cash value of the account or plan will be included minus the amount of the penalty (if any) that would be subtracted from the balance for the early withdrawal of the entire amount in the account or plan.

Differentiation Of Property and Income

Some payments may be considered property, income, or a combination of both. For the differentiation of such payments, see section CPG 44-100.E.

Nonrecurring lump sum payments are treated as property in the month of receipt and any subsequent months, unless specifically excluded from consideration as a resource by other federal law.

A non-recurring lump sum payment includes:

- Retroactive lump sum social security
- Railroad retirement benefits

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- Retroactive payments from the approval of an application for any assistance program
- Court ordered retroactive payments for any assistance program
- Supplemental or corrective payments received for a previous month from any assistance program
- Lump sum insurance settlements
- Refunds of security deposits on rental property or utilities

Procedure:

None

Impacts:

Refer to CalFresh Program Guide (CFPG) 63-200 for CalFresh regulations related to resource evaluation.

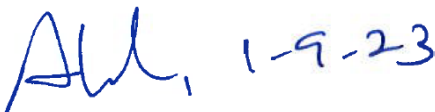
References:

- Eligibility and Assistance Standards (EAS) 42-207, 42-211

Sunset Date:

This policy will be reviewed for continuance by January 31, 2026.

Approval for Release:



Rick Wanne, Director
Self-Sufficiency Services