

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

Other Personal Property to Be Excluded

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Background:

The property listed below is exempt for CalWORKs applicants and recipients unless otherwise noted.

Policy:

42-200.I.1 Income Producing Resources

Resources which annually produce income consistent with the resource fair market value (i.e., rental homes and vacation homes) are excluded property.

40-100.E.2 Resources Essential for Employment

Resources which are essential to the employment or self-employment of a member of the assistance unit (AU) are excluded. This includes work-related equipment such as tools, and resources of a business that are identifiable.

42-200.I.3 Installment Contracts

Installment contracts for the sale of land or buildings if the contract or agreement is producing income consistent with its fair market value. If the payments are for interest only, the rate of return must be a minimum of 7% or commensurate with prevailing interest rates at the time the contract was signed.

42-200.I.4 Inaccessible Resources

Resources which have a **cash value that is not accessible** include:

- Security deposits on rental property or utilities
- Property in probate
- Real property which the AU is making a good faith effort to sell
- Property other than financial instruments (stocks, bonds, promissory notes, etc.) or vehicles which if sold would be unlikely to produce any significant amount of funds (one half of the resource limit for the AU)
- Irrevocable trust funds. It is County policy that at least one inquiry/communication be made with the trustee and recorded in the case file to determine the accessibility of the funds.

42-200.I.5 Resources of Students or Self-Employed

Resources of students or self-employed persons, which have been prorated as income.

42-200.I.6 Earned Income Tax Credits (EITC)

Effective December 17, 2010, EITC payments will be excluded as income. And also excluded as resources for 12 calendar months from the date of receipt.

42-200.I.7 Making Work Pay Credit (MWPC)

Effective December 17, 2010, MWPC payments will be excluded as income and resources for 12 calendar months.

42-200.I.E.8 Income Tax Refund Payments

Effective December 17, 2010, federal income tax refund payments will be excluded as income. And also excluded as resources for 12 calendar months from the date of receipt.

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42-200.I.9 Resources of Applicants in Battered Women Shelters

At the time of application, any resources of a woman or women with children who are temporarily residing in a shelter for battered women and children (i.e., domestic violence), are inaccessible if:

- The resources are jointly owned, **and**
- Access to the resources requires the consent of both persons.

42-200.I.10 Non-Liquid Resources

Non-liquid assets against which a lien has been placed as a result of taking out a business loan and the AU is prohibited by the security or lien agreement from selling the asset(s) are excluded.

42-200.I.11 Restricted Accounts

Restricted accounts shall be excluded for CalWORKs recipients.

See [CPG 42-200.J](#) for complete information.

42-200.I.12 Retirement Savings and Pension Plans

The following types of retirement savings and pension plans are excluded from consideration as resources:

- 401(a)
- 401(k)
- 403(a)
- 403(b)
- 408
- 408(a)
- 457
- 457(b)
- 501(c)(18)
- 529
- Individual Retirement Accounts (IRAs)
- Coverdell Educational Savings Accounts (ESAs)

Procedure:

None.

Impacts:

Refer to [CFPG 63-203](#) CalFresh regulations related to excluded resources.

References:

- [WIC Section 11155](#)
- [EAS 42-213.2](#)
- [MPP 63-501.3](#)
- [ACIN I-28-09](#)
- [ACIN No. I-58-15](#)

Approval for Release:

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September 28, 2015

Sunset Date:

This policy will be reviewed for continuance by September 30, 2018.