

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

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**Background:**

Residence in the state is a requirement for the receipt of aid. However, it is necessary to determine the county in which the applicant lives (the home county) in order to establish county responsibility for payment of aid. No durational period of residence in the state or county is required.

**Policy:**

**42-400.A.1 Residence**

A person establishes residence by:

- Voluntarily living in the state with the intention of making his/her home in the state for other than a temporary basis. Residence does not depend on the reason the person entered the state, except when it relates to a purpose that is involuntary or temporary;
- Living in the state at the time of application, and not receiving aid from another state, and having entered the state with a job commitment or to seek employment, whether they are currently employed (i.e., migrant and itinerant workers); or
- A child living with a parent/caretaker relative who meets one of the above requirements, is a resident of the state in which the parent/caretaker relative is a resident.

**42-400.A.2 Duration of Residence**

Residence in the state established by any of the above criteria continues until the recipient leaves the state and establishes residence in another state. Temporary absence from the state with subsequent returns, or the intent to return when the purposes of the absence have been accomplished, does not interrupt continuity of residence.

A husband or wife may each have a separate residence, which is established by their separate actions and intentions. An applicant/recipient does not lose residence because of marriage, but moving out of the state with the spouse implies intent to establish residence elsewhere.

**42-400.A.3 Applicant/Recipient Rights & Responsibility**

An applicant or recipient is required to report in person, verbally, or in writing, **within 10 calendar days** if he/she changes his/her address, goes to another county, state, or country, regardless of the anticipated date of return. This reporting requirement is necessary so that customers can receive benefits and NOAs in a timely matter. All address changes are considered a [Mandatory Mid-Period Report](#).

Reference: [CPG 44-270.G.1](#)

**42-400.A.4 Adverse Action**

Mid-period action can be taken to reduce or discontinue benefits. Do not take adverse action when a customer merely fails to report an address change. The act of failing to report the address change in and of itself will not result in any adverse action. However, this provision does not preclude overpayments from being pursued in instances where a recipient moved out of state and failed to report this in a timely manner. This provision merely indicates that the act of failing to report an address change, on its own and without any other discrepancies, will not result in any adverse action.

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**42-400.A.5 Home County**

A recipient's home county is the county in which the recipient physically resides. A recipient can temporarily reside in a county other than the home county for up to four months, provided he/she has an intention of returning to the home county. Living in another county for more than four months in and of itself does not create an overpayment unless the recipient is living outside of California.

**42-400.A.6 Treatment of Address Changes**

The following examples illustrate how to treat address changes:

**Example 1:** A CalWORKs recipient reports on the SAR 7 that she moved five months ago to another county in California. The facts reported on the SAR 7 and a follow-up call to the recipient indicate she is still eligible for CalWORKs. Although the recipient failed to report the address change within 10 days, no overpayment will be assessed, as the recipient was still eligible for CalWORKs and an Inter-County Transfer (ICT) will be initiated. See [EPPG 04](#)

**Example 2:** A CalWORKs recipient calls to report that he moved out of state four months ago and has no intention of returning. In this case, the CalWORKs should be discontinued and the case will be assessed for an overpayment. See [EAS 42-407.2](#)

**Example 3:** During a redetermination interview, a CalWORKs recipient reports moving to another county in California three months ago, with no intention of returning to the previous county of residence. The recipient also reports that she obtained employment when she moved and failed to report income over the Income Reporting Threshold (IRT). In this scenario, assess an overpayment only because of the income and not because she moved to another county and failed to report. If the recipient is still eligible, initiate an ICT.

**Example 4:** When aware of a possible address change, contact the recipient to clarify. During the call, the recipient reports they have been out of the home county for two months but intends to return the following month. No other changes in eligibility occurred during the SAR payment period, such as changes to income or household composition. In this example, make a note of the address change, but there would be no overpayment assessed.

**Example 5:** During an interview for CalWORKs, an applicant reports she is temporarily living in another county to care for an ill family member. She reports she began staying with the family member the previous month. However, the applicant reports she intends to return to San Diego and she is applying for aid the following month. In this case, consistent with home county rules, process the application.

**Note:** The address of residence determines where the CalWORKs customer will be assigned to participate in Welfare-to-Work (WTW) Activities. Therefore, it is very important to discuss this with the customer if they are requesting use of an address/P.O. Box other than where they actually reside.

**Additional Note:** Use of an alternate address requires Manager approval (see [CPG 40-100.A](#)).

**42-400.A.6 Housing Statement Form**

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The CSF 47 Housing Statement/Verification is available in CalWIN to assist in obtaining information when recipients move to another residence within the county or state. This form should also be used when information provided by the recipient is questionable or in conflict with other case record information. The SAR 3 Mid-Period Status Report can also be used by the applicant/recipient, to provide mandatory mid-period report information, such as an address change.

**42-400.A.7 National Voter Registration Act**

The National Voter Registration Act (NVRA) requires Public Assistance offices to provide and collect a Voter Registration Card (VRC) and a NVRA Voter Preference Form ([16-64 HHS\)A](#)) at initial application, redetermination/recertification/renewal (RRR) and **changes of address**.

Additional information regarding the NVRA requirements for Public Assistance Offices can be found in the [EPPG 03.1](#).

**Procedure:**

1. For NVRA operational procedures, see [National Voter Registration Act \(NVRA\) Processing Guide](#)
2. Refer to [Processing Guide 44-100.E3 Treatment of Changes during the Application Process](#)

**Impact/s:**

Refer to the following regulations for their corresponding residence process:

CalFresh: [CFPG 63-152](#)

Medi-Cal: [MPG Article 7, Section 5](#)

General Relief: [GRPG 90-200.1](#)

**References:**

[ACIN I-63-15](#)

[ACL 10-01](#)

[ACL 12-25](#)

[EAS 42-400](#)

[EAS 42-407.2](#)

[CPG 42-400.B](#)

**Approval for Release:**

November 12, 2015

**Sunset Date:**

This policy will be reviewed for continuance by November 30, 2018