

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

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Revision Date:

June 1, 2018

A. Background:

This section shows the lien requirements for the GR Program. This section is revised to provide additional instructions for separated spouses.

Purpose:

To provide the lien requirements for GR.

B. Policy:

San Diego County Administrative Code Section 263 requires that all applicants for GR execute a lien naming the County of San Diego as grantee to secure any and all real property of the applicant as security for repayment of all GR aid issued. In addition, W&I Code Section 17001.6 gives counties the authority, to the extent not inconsistent with federal law to require the legal sponsor of an alien to repay any public benefits provided to the alien during the sponsorship period.

Liens will be taken on property outside of San Diego County. A note, explaining the location of the property, will be sent to the Office of Revenue and Recovery (ORR) along with the lien form(s).

C. Signing the Lien:

A Grant of Lien, form 11-22 HHS A, must be signed by each applicant adult, including all aliases, in front of a Deputy County Clerk or deny GR. A married couple need sign only one lien form but both spouses must sign. There are no exceptions to the lien requirement. The individual must legibly print his/her name near the signature so that the lien can be recorded. See the Eligibility Policy and Procedure Guide, "CMS and GR Grant of Lien Forms," for instructions on completing the lien.

Applicants who state that they are unable to obtain the required spouse's signature on the GR Grant of Lien due to either:

- Providing legal documentation of their divorce, legal separation, nullification of marriage, deceased spouse
- Representing that they are no longer residing with their spouse,

are not required to obtain the spouse's signature. See Processing Guide 90-300.14A for the process if the applicant is unable to provide the documentation above.

Require a sponsored alien to provide information on his/her sponsor. In addition, the legal sponsor must sign a separate 11-22 HHS A and 11-19 HHS A in person. This information is needed to establish a lien on the sponsor's income and/or property for repayment of aid received by the sponsored alien during the sponsorship period. Failure of either the alien or sponsor to cooperate will result in denial or discontinuance of aid for the sponsored alien.

D. New Applications:

Once a GR lien for repayment has been filed, there is no need to take a new lien when the individual reapplies for aid and there is an existing active lien.

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If ...	Then ...
the prior lien has been discharged,	a new 11-22 HHS A lien form must be completed.
the case name has changed,	
property has been acquired,	
new aliases are identified,	

E. Duplicate Cases:

For duplicate cases, when the original lien is on file at the Recorder, it is not necessary for the case to contain a copy of the lien. However, the case must contain a clearance form, which states there is an active lien and an original Lien Information Form, 11-19 HHS A.

F. Completing the Lien:

See the Eligibility Policy and Procedure Guide, "CMS and GR Grant of Lien Form," for instructions on completing the lien.

G. Applicant Unable to Complete the Lien:

In some situations, an applicant for GR will be unable, because of physical or mental difficulty, to sign his/her own signature. If this occurs, his/her spouse or person with his/her power of attorney may sign for him/her. The lien will be completed as shown in Processing Guide 90-300.14B.

H. Sponsor Unable to Complete the Lien:

Aliens who claim their sponsor cannot sign the forms because he/she is an agency/organization that no longer exists, is deceased or totally incapacitated (for example, coma, mentally incompetent) must provide verification from USCIS that identifies the legal sponsor. The sponsored alien must also provide verification that the agency/organization no longer exists, a copy of the death certificate if the sponsor is deceased or medical verification if the sponsor is totally incapacitated.

Grant/continue aid if satisfied that the legal sponsor is unable to sign the lien forms, if otherwise eligible. Document this in the case. Image verification in the case.

As with the policy regarding the Sponsor's Statement of Facts, CW 22, aliens who are unable to locate their sponsor are not exempt from these regulations. Aliens who are sponsored by an absent spouse are also not exempt from these regulations.

I. Lien Information Form:

The 11-19 HHS A form has been developed to explain the repayment terms of the GR Program. This form must be carefully explained to the applicant prior to his signing the 11-19 HHS A and acknowledging repayment terms.

Each applicant completing a lien form, 11-22 HHS A, will complete a Lien Information Form, 11-19 HHS A. The sponsor of an alien will be required to sign the 11-19 HHS A in person. Failure of either the alien or sponsor to cooperate will result in denial or discontinuance of aid for the sponsored alien. The original 11-19 HHS A will be imaged in the case and the copy will be given to the applicant. If there is already an active lien, only the 11-19 HHS A is to be completed.

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A new 11-19 HHSa is not required as part of the redetermination process. The 11-19 HHSa must be completed when an 11-22 HHSa is completed and as part of the Intake process whether or not there is an active lien.

Procedure:

Follow the actions in the policies above for completion of the GR Grant of Lien.

Program Impacts:

None

References:

Welfare & Institutions Code Sections 17001.6 and 17107
San Diego County Administrative Code Sections 258 and 261-263
Program Guide Letter 73

Sunset Date:

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

Approval for Release:



Rick Wanne, Director
Eligibility Operations