

18. Residence

Residence in the state, but not in the county, is a requirement in order to receive CalWORKs. However, it is necessary to determine the county in which the applicant/recipient lives, in order to establish which county is responsible for the aid payment.

18.1 State Residence

No durational period of residence in the state or county is required.

Residency in this state continues until the client leaves the state and establishes residency elsewhere.

18.1.1 Definition of Residence

Residency is established in the state when individuals voluntarily live here and have no present intention of leaving. The reason the individual entered the state is not a factor, except to determine whether the individual may be here temporarily.

18.2 Out-of-State Placement

The regulation of the placement of dependent children in California is through the Interstate Compact procedure. [\[Refer to “Out-of-State \(OOS\) Placements,” page 16-1\].](#)

18.3 Responsibility

Applicants and recipients have the same freedom of movement and the choice of a place to live as other citizens in California.

Applicants and recipients, including the parent or person responsible for the child receiving aid in CalWORKs, must:

- Immediately inform the EW if they are going to another county, state or country, regardless of the anticipated date of return.
- Provide the EW with a monthly written statement explaining:
 - The reasons for their absence from California,

- Their intent to return to California, and
- Their anticipated date of return.

Failure to promptly provide such statements will result in immediate discontinuance of aid payments. It is expected that this statement be provided within 30 days.

18.3.1 Verification

The written statement on the appropriate statement of facts of applicants or clients is acceptable to establish their intention and action in establishing residence, unless the statement is inconsistent.

If further substantiation is necessary, examples of additional actions or facts which can support the individual's statement are:

- Continued maintenance of a home when rented or owned in California.
- Employment or business interest in California.
- Family members living in California.

18.4 Persons on Parole

Persons on parole from correctional institutions may, by intent, establish residency.

18.5 Clients from Other States

Clients of categorical aid from other states who move to California and intend to make their homes here must be granted aid promptly, if otherwise eligible. The EW must contact the other state to avoid any break in aid and to avoid duplication of aid from two states.

18.6 Clients Who Move Out-of-State

CalWORKs clients who move from California and intend to make their home in the new state, must have their CalWORKs from California discontinued immediately.

18.6.1 Notification to Apply in Another State

The EW must send written notification to any client who lives out of state to immediately apply for aid in that state unless the intent to return to California is clearly established. If the intent is to return to California, an application need not be made in the other state. The EW shall follow the procedures. [\[Refer to “Out-of-State Aid Applicants or Recipients \[EAS 42-407-42-424\],” page 18-3\].](#)

18.6.2 Application by Clients in Other States

When the client notifies the EW that an application for public assistance is being made in another state, the EW must contact that state to coordinate the discontinuance of aid from California and the granting of aid by the other state. Aid shall not be continued by California beyond the end of the month in which the client applies for aid in the other state. (W&I Section 11103.)

18.7 Out-of-State Aid Applicants or Recipients [EAS 42-407-42-424]

The EW must make monthly inquiries of all clients who are absent from this state to determine their intent to remain residents of California or to become residents of another state.

When an AU reports being out of the state, he/she must cooperate with the county by providing monthly written statements explaining the reason for the absence, their intent to return, and the date of return. A mid-period status report (SAR 3) shall be mailed to the client when it is learned that an AU has been or intends to be continuously absent from the state for 30 days or longer.

If it is determined that the AU will be temporarily absent from the State, EWs must use the following steps to determine whether or not the AU will return within the 30 day time limit:

If The Client...	Then...
<ul style="list-style-type: none"> Intends to return within 30 days 	<ul style="list-style-type: none"> Document the situation in the Maintain Case Comments window. Follow up with the client the following month to ensure there are no changes in the situation.
<ul style="list-style-type: none"> Does not intend to return within 30 days, and Does not meet any of the exceptions to the temporary absence rule, 	<ul style="list-style-type: none"> Discontinue the case or client (depending on the situation) with a timely Notice of Action (NOA).

If The Client...	Then...
<ul style="list-style-type: none"> Does not intend to return within 30 days, and Meets one of the exceptions to the temporary absence rule, 	<ul style="list-style-type: none"> Provide the client with a “New Residence Requirement Questionnaire” (SCD 730) which is to be completed and returned during each month of the absence. Follow up with the client on a monthly basis to determine continuing eligibility.

18.7.1 Temporary Absence Exceptions

A member of the CalWORKs AUs may be exempt from the temporary absence requirement if they meet the one of the following exceptions:

- Hospitalization, or
- Employment, or
- Attending Educational or Vocational Training School, or
- Child with Special Needs, or
- Child in a Group Home, or
- Disaster.

[Refer to “[Examples of Temporary Absence \[82-812.63\]](#),” page 25-16 for a detailed description on temporary absence exceptions.]

18.8 Whereabouts Unknown/Undeliverable Mail

When whereabouts of the AU are unknown, the EW must attempt to reach the AU to resolve the conflicting information. If mail has been returned as “undeliverable” or “addressee unknown” and the client submits a SAR 7 without reporting a change of address, the EW must send a notice of incomplete SAR 7 form. After this notice, and the documented Balderas, the EW shall discontinue cash aid at the end of the reporting period.

Mid-quarter action can be taken to terminate aid when mail has been returned as “undeliverable” or “addressee unknown” if it is determined after notice and the documented Balderas attempt at personal contact that the client has moved out of California. If it is determined after notice and the documented Balderas attempt at personal contact that the client has moved to another county, an Inter-County Transfer (ICT) should be initiated. If the EW is unable to contact the client to verify whereabouts, then deny or discontinue cash aid by the end of the month in which contact is attempted. A 10-day Notice of Action (NOA) is not required.

IF the client...	THEN ...
States that they do not intend to return to California or Fails to respond to request for verification of residency,	That person's (or family's) aid must be terminated immediately.

IF the client...	THEN ...
Is prevented by illness or another good reason from returning at the end of 60 days, and has not by act or intent established residence elsewhere,	That person (or family) does not lose their residency and aid may be continued.

Loss of residency is presumed after 60 days unless the client has provided evidence to the contrary. The client's signed statement on the "New Residence Requirements Questionnaire" (SC 730) is acceptable evidence in the absence of conflicting information.

18.9 Address Out of the United States

Should the client leave the United States, their case must be discontinued. The client must reapply when they return to the United States.

18.10 Using a Mailing Address

A client may choose to use another person's address as their mailing address, especially if there have been problems with the receipt of mail or if the client is homeless. If a client indicates to the EW that they wish to use a mailing address, the EW shall:

STEP	ACTION
1.	Document the Maintain Case Comments window in CalWIN, explaining why the client wishes to use the mailing address.
2.	Explain to the client that: <ul style="list-style-type: none"> • They must provide residency verification (i.e., rent receipt) with each semi-annual report (SAR 7), and • If they fail to provide the residency verification their case may be discontinued for failure to provide essential information.
3.	Change the address online. Note: In this situation it is not necessary to have the "Social Services Mail Request Agreement" (SC 1483) completed.

18.10.1 Use of P.O. Box as Mailing Address

If the client wishes to use a Post Office box as a mailing address, the EW must enter the residence address in the **Home Address** field and enter the P.O. Box information in the **Mailing Address** field of CalWIN.

18.10.2 Use of Other Mailing Address

If the client wishes to use the address of a relative or friend to receive their mail, the EW must enter the residence address in the **Home Address** field of CalWIN.

18.10.3 SC 1483

If the client has no mailing address and must choose a District Office address, the “Social Services Mail Request Agreement” (SC 1483) must be completed.