

TO BE RESCINDED

5101:4-6-03 **Food stamps: assistance groups (AGs) with income from boarders and day care.**

(A) AGs with boarders

Persons paying a reasonable amount for room and board as specified in paragraph (E)(1) of rule 5101:4-2-03 of the Administrative Code shall be excluded from the AG when determining the AG's eligibility and benefit level. The income of AGs owning and operating a commercial boardinghouse, as defined in paragraph (E)(1) of rule 5101:4-2-03 of the Administrative Code, shall be handled as self-employment and the criteria in rule 5101:4-6-11 of the Administrative Code apply. For all other AGs, payments from the boarder, except foster care boarders, shall be treated as self-employment income and the AG's eligibility determined as follows.

(1) Income from the boarder

The income from boarders shall include all direct payments to the AG for room and meals, including contributions to the AG's shelter expenses. Shelter expenses paid directly by boarders to someone outside of the AG shall not be counted as income to the AG.

(2) Cost of doing business

In determining the income received from boarders, the county agency shall exclude the portion of the boarder payment that is a cost of doing business. The amount allowed as a cost of doing business shall not exceed the payment the AG receives from the boarder for lodging and meals. The county agency may elect one of the following methods to determine the cost of doing business:

- (a) The maximum monthly food stamp benefit for an AG that is equal to the number of boarders; or
- (b) The actual documented cost of providing room and meals, if the actual cost exceeds the appropriate maximum monthly benefit amount. If actual costs are used, only separate and identifiable costs of providing room and meals to the boarders shall be excluded.

(3) Deductible expense

The net income from self-employment is added to other earned income and the twenty per cent earned income deduction applied to the total. Shelter costs

the AG actually incurs, even if the boarder contributes to the AG for part of the AG's shelter expenses, are computed to determine if the AG will receive a shelter deduction. However, the shelter costs shall not include any shelter expenses directly paid by the boarder to a third party, such as the landlord or utility company.

(B) Income from day care

For AGs deriving income from day care, the county agency may elect one of the following methods of determining the cost of meals provided to the individuals:

- (1) Actual documented costs of meals;
- (2) Fifty per cent of the gross earnings from day care; or
- (3) The current reimbursement amount used in the child and adult care food program.

Effective: 08/01/2011

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CERTIFIED ELECTRONICALLY

Certification

06/30/2011

Date

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