**Section 114.221 Unearned Income In-Kind**

a) Unearned Income in-kind is payment made by a non-member of the assistance unit in behalf of or in the name of a member of the assistance unit.

b) Payments made by a non-member of the assistance unit for obligations incurred in the name of a member of the assistance unit shall be considered non-exempt, unearned income. A payment obligation shall be considered as having been incurred in an individual's name if:

1) The individual has signed an agreement to pay for a debt or service. Examples include mortgages and other loans, utilities, charge accounts, credit cards, leases.

2) There is no signed agreement but the provider of goods or services expects the individual to make payment. Examples include rent, child care, private school tuition.

c) Payments made by a non-member of the assistance unit for obligations incurred jointly in the names of assistance unit members and non-assistance unit members shall be considered unearned income in the same proportion as the payment obligation of the assistance unit member(s).

d) When the assistance unit shares a dwelling unit with another family or individual(s), the exchange of cash for purposes of satisfying payment of shelter related obligations shall not constitute an income in-kind payment and shall not be considered available to meet the needs of the persons who receives and disburses the shelter-related payment.

(Source: Added (by codification with no substantive change) at 7 Ill. Reg. 5206)