

## **Manning, Deborah**

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**From:** Keane, John  
**Sent:** Wednesday, August 13, 2014 8:52 PM  
**To:** Manning, Deborah  
**Cc:** Hayes, Chuck  
**Subject:** FW: Ashley Delgado

**Importance:** High

Deb – For the Agenda. Chuck – For the file.

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**From:** Robert Klausner [<mailto:bob@robertdklausner.com>]  
**Sent:** Wednesday, August 13, 2014 4:28 PM  
**To:** Keane, John  
**Cc:** Stuart Kaufman  
**Subject:** Ashley Delgado  
**Importance:** High

Mr. Keane

This is in response to your request for guidance concerning payment of benefits to a disabled child following the attainment of age 22. Section 121.206(b) of the Ordinance Code requires payments to a child to terminate not later than age 22 (earlier if the child is not a full time student). You have advised that Ms. Delgado, a disabled child, has passed the age of 22. While a lifetime benefit is available for a disabled if there is no surviving spouse under 121.206(c), there is a surviving spouse in the present case. You have also advised that Ms. Delgado received payments following her 22<sup>nd</sup> birthday. Those payments must either be recovered from Ms. Delgado's guardian or some other source. You have advised that a donor has agreed to reimburse the Fund on her behalf as a humanitarian gesture. The Fund is empowered to accept that donation on her behalf. I agree with the decisions made and they are in full compliance with the terms of the Ordinance. Code. If Ms. Delgado lives past the lifetime of the surviving spouse of the member, her payments would commence again under Code Section 121.206(c).

I trust this answered your questions.

Bob Klausner

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