

11.5 ASSETS OF PERSONS IN SPECIAL CIRCUMSTANCES

A. FOOD STAMP BENEFITS

NOTE: When an asset is deemed, the full equity value is deemed with no disregards or deductions applied.

1. Assets of Those Disqualified, Ineligible or Excluded By Law

The assets of non-AG members are not counted in determining the AG's eligibility.

However, ineligible aliens, disqualified individuals and individuals excluded by law must have their assets deemed to the AG. See Section 9.1,A for a list of disqualified individuals and those excluded by law.

The same asset exclusions which apply to AG members also apply to ineligible aliens and those who are disqualified or excluded by law.

2. Assets of Ineligible Students

If a student is found ineligible to participate in the Program because he does not meet the criteria for student eligibility, his assets are excluded. See Section 9.1,A,4 for student eligibility information.

3. Jointly Owned Assets

The treatment of jointly owned assets becomes significant when all the joint owners are not included in the AG. An asset is considered jointly owned when the client has an investment in it or his name appears on it. Also see Section 11.2,D.

a. All Joint Owners Are In The AG

When all joint owners are in the AG, the total equity is counted, unless one of the joint owners is a WV WORKS or SSI recipient. See item 4 below.

b. All Joint Owners Are Not In The AG

If all of the joint owners are not in the AG, the asset owned jointly is considered available in its entirety to the AG, unless it can be demonstrated that such assets are inaccessible. If the AG can demonstrate that it has access to only a portion of the asset, the value of that portion is an asset.

Assets

NOTE: When a client cannot dispose of his share of an asset without the consent of the other owner(s), and the consent is withheld, the asset is excluded as inaccessible.

EXAMPLE: Three people own a **race horse** valued at \$20,000. One of them applies for Food Stamp benefits. The **horse** cannot be sold without the consent of all three owners and each person may sell his interest only to the other two owners. The other two owners do not want to buy the applicant's interest at this time. The **asset** is excluded.

EXAMPLE: Same situation as above except that the agreement does not stipulate that only the other two owners may buy the interest in the **asset**. One-third of the equity is assigned to the client as an asset.

c. Residents of Shelters for Battered Women and Children

Assets are considered inaccessible to persons residing in shelters for battered women and children when:

- The assets are jointly owned with persons they lived with prior to entering the shelter; and
- The shelter resident's access is dependent upon the agreement of a joint owner who still resides in the former household.

4. Special Considerations Depending On The AG Composition

a. Categorical Eligibility

Food Stamp AG's which meet the requirements for Categorical Eligibility found in Section 1.4,R,3,a(1) are not required to meet an asset eligibility test.

b. Food Stamp AG's with at least One SSI Recipient

Recipients of SSI, who live with at least one person who does not receive SSI and who is not authorized to receive a TANF-funded benefit, are in a mixed Food Stamp AG and, therefore, must meet an asset eligibility test.