The amount of equity in excess of $6,000 is counted toward the asset limit. Personal property which is required by the individual's employer for work is not counted, regardless of value, while the individual is employed. Examples of this type of personal property include tools, safety equipment, uniforms and similar items.

EXAMPLE: Bill owns a small unimproved lot several blocks from his home. He uses the lot, which is valued at $4,800, to grow vegetables and fruit, only for his own consumption. Since his equity in the property is less than $6,000, the property is excluded as necessary to self-support.

NOTE: The 6% provision as shown in item 1 above is not used in this determination.

F. CASH ON HAND
CASH SAVINGS

FS	WVW, AFDC Groups	SSI Groups
Yes	Yes	Yes

This is a countable asset, except when any portion of it is the current month's income. Once the amount of cash, including cash benefits in an EBT account, or savings is determined, subtract the current month's income, including cash benefits in an EBT account. The remainder is an asset.

NOTE: The Economic Stimulus Tax Rebate for 2007 is a countable asset for all programs if retained into the 3rd month following the month of receipt.

G. COLLECTIONS

FS	WVW, AFDC Groups	SSI Groups
No	Yes	Yes

Goods and personal effects of unusual value such as, but not limited to, expensive china, silver, art work, antiques, or gun and coin collections.

H. DISASTER ASSISTANCE

FS	WVW, AFDC Groups	SSI Groups
No*	No*	No*

Assistance provided as a result of a federally declared disaster.

See Section 11.2,F.

I. EDUCATIONAL FUNDS

1. Grants, Loans and Scholarships

FS	WVW, AFDC Groups	SSI Groups
No*	No*	No*

When funds are excluded as income, they are also excluded as assets. See Chapter 10. However, funds that are not used for the intended purpose and are allowed to accumulate beyond the time they were intended to cover, are assets.

2. SMART529 Plan and Pre-Paid College Tuition Plans

FS	WVW, AFDC Groups	SSI Groups
Yes	WVW - No AFDC Groups - Yes	Yes

The cash value of the account, minus any penalty for non-qualified withdrawals, is counted as an asset for the account owner, not the student beneficiary.

J. EITC (Earned Income Tax Credit)

FS	WVW, AFDC Groups	SSI Groups
No*	No*	No*

1. Food Stamp Benefits

Excluded for 12 months from the date of receipt, if the recipient of the EITC is an AG member at the time of receipt and participates continuously during the 12-month period. AG's that temporarily do not participate for administrative reasons, i.e., redetermination, but who are otherwise eligible, do not lose the exclusion.

2. WV WORKS, AFDC Medicaid, AFDC-Related Medicaid, SSI-Related Medicaid, CDCS, PAC, QDWI, QMB, SLIMB and QI-1

Excluded in the month of receipt and the following month only. This applies when received as part of paycheck or as one payment at end of the year.

K. EQUIPMENT ESSENTIAL FOR EMPLOYMENT

FS	WVW, AFDC Groups	SSI Groups
No*	Yes	No*

Q. INCOME TAX REFUNDS **AND REBATES**

1. Income Tax Refunds

FS	WVW, AFDC Groups	SSI Groups
Yes	Yes	Yes

2. Economic Stimulus Tax Rebate for 2007

FS	WVW, AFDC Groups	SSI Groups
Yes*	Yes*	Yes*

NOTE: The Economic Stimulus Tax Rebate for 2007 is a countable asset for all programs if retained into the 3rd month following the month of receipt.

R. INDIAN LANDS AND TRUSTS FUNDS

FS	WVW, AFDC Groups	SSI Groups
Yes	Yes	Yes

Indian Tribe Trust Funds received as a result of Public Laws: 97-458, 98-64, and/or 98-124. Also, payments or relocation assistance to members of the Navajo and Hopi tribes under Public Law 98-531.

- Submarginal lands held in trust for Indians

- Alaskan Native Claims Settlement Act

- Any payments made under various public laws to any member of the following tribes:

  Apache Tribe of the Mescalero Reservation
  Arizona
  Assiniboine
  Blackfeet
  Chippewas: Lake Superior, Mississippi, Roe, Saginaw,
  Turtle Mountain Band, White Earth Band
  Confederate Tribes/Bands of the Yakima Indian Nation
  Grand River Band of Ottawa Indians
  Grosventre
  Houlton Band of Maliseet
  Montana
  Papago
  Passamaquoddy Tribe
  Penobscot Nation
  Puyallup Tribe
  Seneca Nation

S. INSURANCE SETTLEMENTS

See Chapter 10 and Section 11.2,F

Treated as lump sum payments, or compensation for loss or damage.

T. LIFE INSURANCE (Cash Surrender Value)

FS	WVW, AFDC Groups	SSI Groups
No	Yes	Yes*

SSI-Related Medicaid, CDCS, PAC, QDWI, QMB, SLIMB and QI-1: If the face value of all life insurance policies for one individual totals $1,500 or less, the cash surrender values are not counted as an asset. If the face value of all life insurance policies for an individual is in excess of $1,500, the cash surrender values are counted as an asset. The life insurance policy must be owned by the client or by a person whose assets are deemed to him to be counted. If the consent of another individual is needed to surrender a policy for its full cash surrender value, and the consent cannot be obtained, the policy is not an asset. Assignment of a life insurance policy to another individual means consent of that individual is required before it can be cashed.

U. LIEAP (Low-Income Energy Assistance Program) AND ENERGY CRISIS INTERVENTION PAYMENTS

FS	WVW, AFDC Groups	SSI Groups
No	No	No

V. LOANS, NON-EDUCATIONALS

FS	WVW, AFDC Groups	SSI Groups
Yes*	Yes*	Yes*

1. Food Stamp Benefits

   Loans for which there is a verbal or written agreement to repay are excluded.

2. AFDC Medicaid And AFDC-Related Medicaid

   Loans which meet the definition of Bona Fide loans, as found in Chapter 10, are excluded as assets.

3. WV WORKS

Loans are normally counted as income. See Chapter 10. However, when a loan is excluded from consideration as income and has not been used for the intended purpose within 3 months of the date the money is received, the funds remaining at the end of 3 months are counted as an asset. The remaining amount of a loan which was counted as income in the month of receipt, becomes an asset in the month following the month of receipt.

prove otherwise. Only those vehicles of members of the AG, individuals who are disqualified or excluded by law and who would otherwise be required to be included, are considered when determining vehicle assets.

A leased vehicle, in which the individual has no equity and which he cannot sell, is excluded.

The trade-in value is usually used as the CMV for AFDC Medicaid, WV WORKS and AFDC-Related Medicaid.

The retail value is usually used as the CMV for SSI-Related Medicaid, CDCS, PAC, QDWI, QMB, SLIMB and QI-1.

See items DD and EE of this Section for RECREATIONAL VEHICLES and EQUIPMENT.

Neither the trade-in value nor the retail value is increased or decreased by adding or subtracting the value of low-or high-mileage or other factors, such as optional equipment or special equipment for the disabled.

Possible sources for obtaining the trade-in and/or retail value are listed in Section 4.2. Throughout the following items, the term “listed value” refers to the value obtained from one of the sources in Section 4.2.

1. Food Stamp Benefits

   All vehicles, including recreational vehicles and equipment, as defined in Section 11.1, are excluded for the Food Stamp Program.

2. AFDC Medicaid and AFDC-Related Medicaid

STEP 1: When the AG Has Only One Vehicle

One vehicle is excluded, provided the equity does not exceed $1,500. When the equity of the vehicle is greater than $1,500, the excess amount is an asset. If the client disagrees with the value or the value cannot be obtained, procedures in Step 2 are followed to determine equity.

STEP 2: Determining Equity in All Vehicles

The listed trade-in value of the vehicle is used, unless one of the following conditions exists:

- The client disagrees with the listed value.

  The client is responsible for obtaining one estimate on form DFA-V-1, Vehicle Estimate. The Department assumes any expense incurred in obtaining this estimate, using form DF-67. If the Department has no objection to the client's estimate, it is accepted as the value used in determining equity. The listed value is not used once an estimate has been obtained.

  If the Department determines that the estimate obtained by the client is unreasonable, a second estimate is obtained by the Worker from a qualified appraiser of the Department's choice. Form DF-67 is used to pay for the estimate. This estimate and the client's estimate are averaged to arrive at a value used in determining countable equity.

- The vehicle value is not listed.

  In this situation, the client's statement of the value of the vehicle(s) is accepted unless it appears incorrect. If the statement appears incorrect, the Worker requires that the client obtain one estimate. Form DFA-V-1 is used, and payment, when required, is made by the Department, using a DF-67. If the vehicle is listed as junk with the Department of Motor Vehicles, as indicated on the title of the vehicle, a sale value of $25 is assigned to it, and that amount used as the CMV.

In determining the countable value of the vehicle(s), only the equity is counted. Once the CMV is determined, the amount of the periodic installment payment is multiplied by the number of payments remaining. The result is subtracted from the CMV to determine the equity. Only when the client indicates he intends to pay off the vehicle in a lump sum is the pay-off amount used instead of the amount of remaining payments.

STEP 3: Determining Asset Value of All Vehicles

After equity is determined for each vehicle, $1,500 is subtracted from the one with the highest equity. Any amount in excess of the $1,500 is an asset for that vehicle. In addition, the equity in all other vehicles is counted in its entirety. See Step 1 above.

EXAMPLE: A client has three (3) vehicles. The listed values are:

Vehicle A	Vehicle B	Vehicle C
$2,500	$1,500	$1,750

The client disagrees with the listed values of Vehicles B and C. Estimates are obtained for Vehicles B and C as follows:

Vehicle B	Vehicle C
$900	$1,200

The Department disagrees with the estimate obtained for Vehicle B and obtains another estimate of $1,100.

The values used to determine countable equity are found by using the listed value for Vehicle A, accepting the client-obtained estimate for Vehicle C and by averaging the two estimates for Vehicle B. Therefore, the countable equity is determined as follows:

Vehicle A	Vehicle B	Vehicle C
$2,500	$1,000	$1,200
- 300 Owed	- 400 Owed	-500 Owed
$2,200 Equity	$600 Equity	$ 700 Equity

Vehicle A is the vehicle with the highest equity; Vehicle A receives the $1,500 exclusion.

Vehicle A	Vehicle B	Vehicle C
$2,200	$600	$700
-1,500		
700		
Counted toward the asset limit.	Counted toward the asset limit.	Counted toward the asset limit.

Total Vehicle Asset Value = $2,000. The case is ineligible.

3. SSI-Related Medicaid, CDCS, PAC, QDWI, QMB, SLIMB and QI-1

One vehicle is excluded from consideration as an asset for these coverage groups, when certain criteria regarding value and use are met.

When there is more than one vehicle, always apply the vehicle exclusions in a manner which benefits the client. For instance, the car with the highest value may not be the vehicle used to obtain medical treatment; however, it may be excluded for that use, if it is to the advantage of the client.

STEP 1: Exclusion Based on Use

One vehicle is totally excluded, regardless of its value, if the AG or an individual whose assets are used to determine the AG's eligibility, uses it as follows:

- For employment; or
- For medical treatment of a specific or regular medical problem; or
- If it is modified for operation by, or specially equipped for, the transportation of a handicapped person; or
- It is necessary to provide transportation to perform essential daily activities because of climate, terrain, distance or similar factors; or
- It is essential to achieving self-support for an AG member or an individual whose assets are used to determine the AG's eligibility, as described in an SSA-approved PASS.

STEP 2: Exclusion Based on Value

If no vehicle is excluded in Step 1, the first $4,500 of the CMV of one vehicle is excluded. When the client's only vehicle cannot be excluded in Step 1 and the CMV is $4,500 or less, the vehicle is totally excluded. When the CMV is more than $4,500, the amount in excess of $4,500 is counted as an asset. Equity value is not considered in this step.

When the client disagrees with the listed retail value of the vehicle, he may obtain another estimate in writing at his own expense. If he provides the statement, it is averaged with the listed retail value to arrive at the CMV.

NOTE: Any estimate the client provides must be furnished by a knowledgeable, disinterested source, such as, but not limited to, a domestic or foreign used car or truck dealer, or an automobile insurance company.

When the vehicle in question is too old to be listed, the Worker must use the value for the oldest listed vehicle of like make and model. If the client disagrees with this amount, he must be advised that he can obtain an estimate from another source. If there is a charge for the appraisal estimate, the client is responsible for the charge.

STEP 3: Value of Other Vehicles

If the AG or an individual whose assets are used to determine the AG's eligibility has any other vehicles not excluded in Steps 1 or 2 above, the equity of these vehicles is an asset. See Section 11.1 for instructions for determining equity.

EXAMPLE: John Smith owns a 1990 Toyota Celica with a CMV of $8,350, and his equity is $500. He also owns a 1988 Volkswagen with a CMV and equity value of $2,700, which exceeds the asset limit. Based upon Mr. Smith's statement, neither vehicle can be excluded based on use. The $4,500 CMV exclusion is applied to the Volkswagen instead of the Toyota because it benefits the client. Only the equity value of the 1990 Toyota counts toward the asset limit.

EXAMPLE: Mr. Smith has the same vehicles as above. However, he says he usually uses the Toyota Celica to drive to the doctor. If the Toyota is totally excluded, the equity value of the Volkswagen makes him ineligible. Thus, the value of the Volkswagen is totally excluded based on use, and the $500 equity value of the Toyota, along with other countable assets, does not make him ineligible.

4. WV WORKS

NOTE: Equity is not a factor in any step of the process determine countable vehicle assets.

STEP 1: Exclusion of One Vehicle

One (1) vehicle is excluded regardless of value. If the client has more than one vehicle, he chooses which vehicle to exclude. The CMV, not equity, of all other vehicles is an asset.

STEP 2: Determining Current Market Value (CMV) Of All Non-Excluded Vehicles

The listed trade-in value of the vehicle is used, unless one of the following conditions exists:

- The client disagrees with the listed value.

  The client is responsible for obtaining one estimate on form DFA-V-1, Vehicle Estimate. The Department assumes any expense incurred in obtaining this estimate, using form DF-67. If the Department has no objection to the client's estimate, it is accepted as the CMV. The listed value is not used once an estimate of the value has been obtained.

  If the Department determines that the estimate obtained by the client is unreasonable, a second estimate is obtained by the Worker from a qualified appraiser of the Department's choice. Form DF-67 is used to pay for the second estimate. This estimate and the client's estimate are averaged to arrive at the CMV.

- The vehicle is not listed.

  In this situation, the client's statement of the value of the vehicle(s) is accepted unless it appears incorrect. If the client’s statement appears incorrect, the Worker requires that the client obtain one estimate. Form DFA-V-1 is used, and payment, when required, is made by the Department, using a DF-67.

If the vehicle is listed as junk with the Department of Motor Vehicles, as indicated on the title of the vehicle, a sale value of $25 is assigned to it, and that amount used as the value.

STEP 3: Determining Asset Value of All Non-Excluded Vehicles

The CMV as determined in Step 2 above, of all non-excluded vehicles is counted in its entirety, regardless of the client's equity.