

owned by others. Public rights-of-way which run through the surrounding property and separate it from the home, do not affect this exclusion. Any additional property acquired and not separated from the original acquisition by intervening property owned by others, is also excluded.

The value of structures on the property, other than the client's dwelling, is included in the exemption whether or not they are income-producing, except for mobile homes. For WV WORKS, AFDC and SSI groups, the value of any mobile home on the homestead property, if it is not the client's dwelling, is considered an asset, unless it is income-producing property. See Item 3 below.

a. SNAP Benefits

All real property and mobile homes are excluded, regardless of use.

b. SSI-Related Medicaid, M-WIN, CDCS, PAC, QDWI, QMB, SLIMB and QI-1

Only one dwelling is established as the client's principal place of residence, and only the principal place of residence is excluded. **If the client's homestead is a multi-unit dwelling, such as an apartment building, the entire property is excluded, not just the portion of the value which corresponds to the portion of the property in which he actually lived.** See Section 11.1 for the definition of principal place of residence. When an individual leaves his principle place of residence for any reason, but intends to return to it, the home is excluded. The individual need not have the ability to return to the home, but must simply have the intent.

The exclusion is based solely on the individual's intent to return, even if the home is vacant or rented. **When an individual places his home on the market, intent to return no longer exists and the home is not excluded.**

If an individual leaves the principal place of residence with no intent to return due to domestic abuse, the home continues to be excluded until the individual establishes a new principal place of residence or otherwise takes action rendering the home no longer excludable.

Assets

When an individual is institutionalized, his home remains his principal place of residence, regardless of his intent to return, as long as a spouse or dependent relative lives in the home. For purposes of the homestead exclusion only, a dependent relative is one who is dependent financially, medically, or as otherwise determined, upon the institutionalized person. The following are considered relatives of the institutionalized person: child, stepchild or grandchild; parent, stepparent or grandparent; aunt, uncle, niece or nephew; brother or sister, including relations of step or half; cousin or in-law.

When the equity value of an individual's home exceeds **the current maximum allowable amount**, he is ineligible for Medicaid payment for nursing home care or HCB Waiver Services, unless his spouse, child under 21 or disabled adult child resides in the home. **Denials of payment of LTC Services due to the excessive home equity policy is subject to the Undue Hardship Provision. See Section 11.1 for definition and amount.**

NOTE: Property being purchased with a land sale contract is considered Homestead property if the buyer lives on the property. See Item X above for the equity value of land sale contracts.

When the client has only a life estate interest in his principal place of residence, the value of the life estate interest is excluded. For more information, see item 4 below. Temporary absences from the home for trips, visits, hospitalizations or institutionalization do not affect the homestead exclusion. See item 4 below for the purchase of a life estate in another individual's home.

2. Sale Proceeds Or Compensation For Loss Or Damage

See Section 11.2 CONVERSION OR SALE OF AN ASSET; COMPENSATION FOR LOSS OR DAMAGE
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3. Non-Homestead Property

Treatment of non-homestead property as an asset depends on its use.

- a. Income-Producing Property

SNAP	WVW, AFDC Groups	SSI Groups
No	Yes	No*

- (1) SNAP Benefits

All real property, mobile homes and mineral/timber rights are excluded, regardless of use.