



TANF 201-2 Living Situation

Supersedes: TANF 302-1 (7/1/07); TANF 305-1 (1/1/07)

Reference: ARM 37.78.206, .207, .208 and .221

Overview: A minor child must be living with a specified caretaker relative who is providing care in a setting maintained or in the process of being established as the child's home.

HOME:

A home is the family setting evidenced by the assumption and continuation of responsibility for the day-to-day care of the child by the caretaker relative with whom the child is living or will be living.

A home exists so long as the relative exercises responsibility for the child's care, even though the child or the relative is temporarily absent from the home.

The quality or type of the home is not a factor in determining eligibility.

HOMELESS:

Assistance may be provided to otherwise eligible individuals who are homeless who, therefore, have no fixed address nor live in permanent dwellings. The individual must declare his/her intent to reside in Montana and meet the criteria stated above.

Lack of a permanent dwelling or lack of a fixed home or mailing address does not mean a home does not exist for purposes of determining whether a child lives with a specified relative in a setting maintained as a home.

"LIVING WITH" THE CARETAKER RELATIVE:

The child is considered to be "living with" the caretaker relative and other required filing unit members if the child is physically residing with the specified relative even though:

1. The child is not currently living in the home but will be within 30 days of the receipt of benefits; or
2. Legal custody is held by an agency/person that does not have physical custody of the child; or
3. The child is under the jurisdiction of the court (on probation); or

- a. A child incarcerated in a correctional institution or any other institution providing schooling, counseling, and other structured activities for a specified time period imposed by a court of law, is not eligible for benefits.
4. The child is temporarily absent for a period of time, not to exceed 90-consecutive days, or longer than 90 days if the absence meets the temporarily absent special criteria.

VERIFYING “LIVING WITH” CRITERIA:

Verification of the “living with” requirement is only required when questionable.

Effective Date: January 01, 2018