



TANF 401-1

Ownership/Accessibility/Equity

Supersedes: TANF 401-1 (1/1/03)

Reference: ARM 37.78.208 and .401

Overview: A resource is real or personal property which has economic value. Any resources owned by the filing unit must be evaluated for ownership, accessibility and value. All resources are countable unless specifically excluded by policy.

All resources, even if they are excluded per policy, must be entered on CHIMES.

Countable resources cannot exceed \$3,000; regardless of family size.

RESOURCE VALUE:

The full resource value is counted toward the resource limitation when all liens or debts against the resource have been paid in full. The equity value is counted toward the resource limitation when liens or debts against the resource exist.

RESOURCE ELIGIBILITY DATE:

Eligibility is determined on the basis of the countable resources as of the application date and the first moment of the first day of each subsequent month for which assistance is being determined.

CHANGES IN RESOURCES/APPLICATION MONTH:

Any changes in resources that occur and are reported after the application date, but prior to the application being approved or denied, should be evaluated to determine if:

1. An increase in resources is the result of countable income in the month (thus, not a countable resource)
2. A decrease in resources results in a finding of eligibility for a month if the household appeared to exceed the resource limit.

If resource changes have occurred after the application date, but prior to any action on the application, the applicant can request to have the start date changed.

DISQUALIFIED/ INELIGIBLE MEMBER RESOURCES:

The resources of disqualified or ineligible required filing unit members are counted in full in determining eligibility for the remaining filing/assistance unit members.

The resources of a required filing unit member receiving Supplemental Security Income (SSI) are not counted in determining eligibility for the other required filing unit members.

CURRENT MONTH'S INCOME:

Income received in the current month is not counted as a resource. It is excluded as a resource in the current month, but countable in any future months. Money cannot be considered income and resource in the same month.

NON-LIQUID RESOURCES:

A resource which has been determined to be non-liquid for any reason is not considered inaccessible or excluded simply because the value of the asset cannot be accessed in the benefit month.

OWNERSHIP:

Ownership of a resource is determined by the:

1. Name(s) on the account, title, deed, contract, etc.;
2. Source of the funds in the account;
3. Purpose for which the account/investment was opened; and
4. Activity of the account/investment.

If the title, deed, contract, account, etc., has only one name listed, the resource belongs to that individual. If more than one name is listed, it is considered a jointly-owned resource. Once determined as jointly-owned, the resource's accessibility must be evaluated.

JOINTLY- OWNED RESOURCES:

Resources owned jointly with someone outside the household must be evaluated to determine accessibility to the household.

Consider 100% of the resource as available to the household, unless the:

1. Household can demonstrate it only has access to a portion of the resources; (count the value of the portion that is available to the household); or
2. Resource cannot be practically subdivided and the household's access to the resource is dependent on the agreement of a joint owner who refuses to comply.

ACCESSIBILITY:

Resources other than vehicles are considered accessible when:

1. The applicant/client has possession of the resource as the owner or joint-owner; or

2. The individual has a legal interest in the resource and has the legal ability to make the value of the resource available.

DISPUTED ACCESSIBILITY:

If the resource is jointly-owned or the individual rebuts ownership and/or accessibility, an investigation of accessibility must occur. Verification of ownership and/or accessibility is required.

INACCESSIBLE RESOURCES:

When legal action has been imposed preventing access to the resource or the joint-owner refuses to dispose of the resource, the resource is considered inaccessible to the applicant/client.

COMMINGLING EXCLUDED & NON-EXCLUDED FUNDS:

If excluded and non-excluded resources are commingled (mixed) in the same account, the specific sources of the funds must be identified in order to determine if the excluded funds continue to be excluded once commingled. If excluded funds may continue to be excluded, there must be clear records identifying and tracing the different sources. If excluded funds continue to be excluded, consider any withdrawals from the account to be from the non-excluded funds first, and from the excluded funds only after the non-excluded funds have been exhausted.

EXCLUDED RESOURCES:

Excluded funds kept in a separate account retain the resource exclusion as long as they remain in a separate account.

FUNDS PRORATED AS INCOME:

Funds which have been prorated as income retain their resource exclusion for the period of time they have been prorated as income (even if the funds have been commingled).

RETAINING STATUS:

Income that was countable when received is countable as a resource to the extent the money is retained into future months. Income that was excluded when received retains that exclusion as a resource when retained into future months.

Excluded funds can accumulate in an account and the total amount of the excluded funds would remain excluded, regardless of how long the funds remain in the account. There is no limit to the length of time an individual can retain excluded funds, or the length of time excluded funds remain excluded. They retain exclusion status as long as they are clearly identifiable.

Effective Date: January 01, 2018