



FAMILY INDEPENDENCE ADMINISTRATION

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POLICY DIRECTIVE #08-02-ELI

(This Policy Directive Replaces PD #01-44-ELI, PD #04-12-ELI, and PB #07-106-OPE)

CASH ASSISTANCE RESOURCE POLICY

Date: January 3, 2008	Subtopic(s): Resources
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AUDIENCE

The instructions in this directive are for staff in Job Centers. This policy directive also serves as an addendum to the resource procedure in Chapter 19 of the Temporary Assistance Source Book (TASB) and Section 16 of the Food Stamp Resource Book. This is informational for all other staff.

REVISIONS TO ORIGINAL DIRECTIVE

This policy directive has been revised to expand the definition of categorical eligibility in the Food Stamp Implications section and to revise the Cash Assistance (CA) and Food Stamps (FS) Resource Limits/Exemptions Desk Guide (**W-204X**).

POLICY

Resources must be used to eliminate or reduce the need for CA and conserve public funds through assignment and recovery.

As a condition of eligibility, applicants/participants are required to use available resources and to apply for, as well as pursue, potentially available resources. Applicants for, or participants of, CA must not exceed the resource limits. All resources (if any) must be evaluated to determine whether they are countable towards the resource limit or exempt.

Resource Limit

CA households are allowed up to \$2,000 in liquid resources.

CA households with at least one person 60 years of age or older are allowed up to \$3,000 in liquid resources.

HAVE QUESTIONS ABOUT THIS PROCEDURE?
Call 718-557-1313 then press 3 at the prompt followed by 1 or
send an e-mail to *FIA Call Center*

Licensed vehicles	A CA household may own one vehicle with a wholesale value of \$4,650. If the vehicle is used to travel to and from work or to seek or maintain employment activities, the exemption amount is increased to \$9,300. The amount by which the fair market value of the automobile exceeds the appropriate exempt amount is countable toward the appropriate liquid resource limit (\$2,000 or \$3,000).
Real Property	For purposes of CA, a house, condominium, or cooperative that is the applicant/participant's primary residence is excluded from the resource limit. The agency may, however, execute a lien on the property even if the household agrees to repay the agency for assistance received. The exemption period for real property (not a home or primary residence) is six months. During such time the applicant/participant must make a good faith effort to sell the property and agree to use the proceeds from the sale of the property to repay the agency any assistance s/he received but would not have been entitled to had the property been sold immediately.
CA Two-Year Postsecondary Education Fund Resource Exemption	A participant with a bank account created for the sole purpose of paying tuition at a two-year accredited postsecondary educational institution can have up to \$1,400 exempted without any of it being counted towards his/her CA resource level. This account must be separate and distinct from any other account. One account per <u>household member</u> is allowed and the individual does not have to be in school when the account is created.
Lump Sum Payments	A lump sum payment is any type of one-time-only payment, such as lottery winnings or retroactive payments. A portion or all of a lump sum payment to a CA participant may now be set aside when determining eligibility, if the portion when combined with a household's countable resources would not exceed the household's CA resource level. In addition, any or all of the lump sum may be set aside if it is used by a participant <u>within 90 days of receipt to:</u> <ul data-bbox="488 1461 1455 1898" style="list-style-type: none"> • purchase an automobile that is exempt from the resource limit because it is needed to seek or retain employment or for travel to and from work (maximum \$9,300). • create a resource-exempt bank account for the purpose of purchasing an automobile to seek or retain employment (maximum amount \$4,650). • purchase a resource-exempt burial plot. • purchase a resource-exempt bona fide funeral agreement (maximum amount \$1,500). • create an exempt bank account used for the sole purpose of paying tuition for a two-year postsecondary institution. The amount cannot exceed \$1,400.

Excluded Resources The following disaster assistance payments to victims of the September 11, 2001, disaster are permanently exempt as income and resources for the purposes of determining eligibility for CA, Food Stamps (FS) and Medicaid (MA). These payments include:

See [PB #01-66-EMP](#) for information on the treatment of disaster relief assistance.

- Federal assistance provided under Public Law (P.L.) 93-288, section 312(d) (Disaster Relief Act of 1974), as amended by P.L. 100-707. This includes assistance paid to residents of the disaster area, and people who live outside the area, even outside New York City, who lost their jobs as a direct result of the disaster. This also includes Disaster Unemployment Assistance (DUA) paid during the period 9/17/2001 through 3/17/2002 through the New York State Department of Labor (NYSDOL) to persons directly affected by the disaster whose unemployment or self-employment were lost or interrupted as a result of the September 11, 2001, disaster.
- Comparable disaster assistance payments provided by State or local governments, or by disaster assistance organizations such as the American Red Cross or the Salvation Army.
- Federal Emergency Management Agency (FEMA) payments made when there is a disaster or emergency.

Staff should also reference Chapter 19 in the TASB for an additional listing of resources that are excluded when determining eligibility for CA.

REQUIRED ACTION

Refer to FS Resource [PD #08-01-ELI](#)

During the application/recertification interview, the Worker must explore the availability of any resource(s) with the applicant/participant. The JOS/Worker must determine whether the H/H is categorically eligible for FS. If the H/H is categorically eligible for FS, the resource limitations do not apply to the FS portion of the CA/FS case but may apply to the CA portion. For CA H/Hs, the Worker must identify the resource as either an exempt or nonexempt resource in order to determine eligibility.

Motor Vehicles

When an applicant/participant presents verification that s/he has a motor vehicle:

- Review the vehicle registration to document the make, model, year, registration/plate number, registration expiration date and class of registration. Ownership is documented by the title of the motor vehicle.

Refer to [PD #03-42-OPE](#) for information on accessing the Kelley Blue Book online.

General purpose vehicles have a \$4,650 resource limit.

- Refer to the Kelley Blue Book online for the current wholesale or trade-in (fair market value [FMV]) value of the vehicle. If the FMV is \$4,650 or below, the vehicle is exempt from the resource limit.
- If the vehicle is used for general purposes only and the FMV is more than \$4,650, regardless of any encumbrances (e.g., liens or monies still owed), apply the excess against the household's liquid resource limit.

Example: A family of three (all under 60 years of age) applies for CA. At the eligibility interview, the Worker is informed that the family owns a 1998 Ford Taurus which is used for general purposes (not used for work or to seek employment). The Kelley Blue Book indicates that the trade-in value is \$10,000. Under the resource limits guidelines, the first \$4,650 is exempt, leaving \$5,350 to be applied against the \$2,000 cash resource limits. The family is ineligible for CA.

Vehicles used for work or to seek employment have a \$9,300 resource limit.

- If the vehicle is used for employment or work activity purposes and the applicant/participant is eligible for or in receipt of assistance, exempt the first \$9,300 and apply any excess against the household's resource limits for CA.
- If the applicant/participant claims that the Kelley Blue Book value does not apply to his/her vehicle, give him/her the opportunity to submit an appraisal from a reliable source.
- If the applicant/participant owns a new vehicle which is not yet listed in the Kelley Blue Book, make collateral contact with a car dealership that sells the same vehicle to request the wholesale value of the vehicle.

Additional vehicles

- If the household owns more than one vehicle, the equity value (FMV less any encumbrances) of the additional vehicles is counted against the household's liquid resource limit.

Real Property

If an applicant/participant reports that s/he owns real property, review the deed. Verify the name on the deed and the value of the property.

Refer the applicant/participant to the Office of Revenue Investigation (ORI) Real Assets Unit at 250 Church St., 5th Floor, New York, NY, as follows:

Liens are implemented by ORI

- Prepare the Information and Referral Notice (**W-113E**) and include all information on the real property.
- Telephone the ORI Resource Consultant at (212) 274-4707 to schedule an appointment for the applicant/participant.
- Give the applicant/participant the original form **W-113E** to take to the interview; file a copy of form **W-113E** in the case record.

- ORI will put a lien on the property within six months dating from the time the resource was reported to the agency.
- ORI will give the applicant/participant a Compliance with Real Property and Assets Unit form as verification of compliance to return to the Worker at the Job Center.
- ORI will send notification to the Job Center when an applicant/participant fails to comply with ORI. An individual in a single-person household or a multiperson household (household size is greater than one), who fails to comply with ORI by refusing to sign or execute a lien, must be sanctioned using WMS Reject/Closing Code **F84** (Failure to Sign Lien). **Note:** In households with more than one adult, only the adult(s) listed on the deed are sanctioned for noncompliance.

This exemption applies to CA cases only

Two-Year College Fund Resource Exemption

A separate and distinct bank account of up to \$1,400 that is created only to pay for tuition at a two-year (not a four-year) accredited postsecondary educational institution is now exempt from the CA resource limit, as long as the funds are not used for any other purpose. The participant does not have to be enrolled in an academic program at the time the account is established. Only one account per active CA member in the household is allowed.

Once established, the agency must monitor the account balances at least at recertification, to ensure the funds are used only for the earmarked tuition expense. Proper documentation of these accounts must be obtained directly from the financial institution. If it is determined that the funds were used for purposes other than intended, the amount of the funds in the account at the time of the withdrawal are countable towards the resource limit.

The exemption applies only to CA participants. It does not apply to applicants, but the exemption continues to apply if the participant goes off and back on assistance. Once the account is established as a participant, the funds are exempt for CA unless the circumstances in the note below apply.

Note: If a two-year college tuition account is created with lump sum income and the funds are later withdrawn and used inappropriately, the value of the account is not only a countable resource but the prior lump sum ineligibility period is reinstated as appropriate, based on the amount withdrawn. Any resulting overpayment would be calculated retroactive to the effective date of the initial notice.

Liquid Resources

Liquid resources include, but are not limited to, cash on hand, bank accounts, stocks, bonds, and promissory notes. If the countable or nonexempt resources combined (cash, motor vehicle, real property) exceeds the allowable maximum, the entire CA household is ineligible for CA.

Excess resources

If an applicant/participant has resources in excess of the allowable maximum s/he is ineligible for assistance in that calendar month and in any month in which resources exceed the limit. In instances where an applicant/participant has excess resources, deny/close the case using one of the codes listed below.

If an applicant/participant’s case is denied/closed due to excess resources, the case remains closed until the excess resource is sold, exhausted or is no longer available to the household. The applicant/participant will be resource-eligible again the month following the selling or exhausting of the resource.

Resource-Related Closing/Denial Codes

Refer to the [Worker’s Guide to Codes Manual](#) for details

CA Closing Codes/Reason

- I46** Excess Resources – 60+ Client No Longer in Household
- U40** Excess Resources
- U41** Transfer of Resources (SNCA/SNNC cases)
- U42** Excess Resources/Refused to Sell Property
- U43** Excess Resources – End of Six-Month Period
- U44** Excess Resources – Deemed Resources of Alien Sponsor (FA/SNFP cases)

When a CNS automated notice is prepared for these cases, the “CA/FS Resource Calculation Screen” (**WCNO18**) includes a check-off for the resource limit amounts. Enter “**X**” to the left of the appropriate resource limit for the household – \$2,000 or \$3,000, whichever is applicable.

CA Denial Code/Reason

- U40** Excess resources; Your amount of resources exceed the limit.

Lump Sum Policy

Lump Sum Policy (Set-Aside Rule)

A CA participant can receive a lump sum payment without its affecting his/her eligibility if:

- the amount received exceeds the standard of need for the household size
- the household's resources do not exceed the CA resource limit when the lump sum payment is combined with the household's countable resources

Example A:

A household size of three with CA needs of \$345.50 semimonthly and \$500 in current resources receives a lump sum payment of \$1,000. The lump sum payment exceeds the \$345.50 standard of need for the household. The \$1,000 lump sum payment plus the \$500 countable resources = \$1,500 and does not exceed the CA resource limit. This means the participant can keep the \$1,000 without its affecting his/her eligibility.

If the lump sum payment, when combined with the household's current countable resources, exceeds the CA resource limit, the set-aside rule is applied to determine how much of the lump sum is budgetable.

Determining the set-aside

The Worker must determine the amount to set aside by subtracting the household's current resources from the CA resource limit (CA resource limit – current countable resources = set-aside amount). Once the set-aside amount is determined, the Worker must subtract the set-aside amount from the total lump sum payment and then budget the difference as a lump sum payment in accordance with current procedure.

Example B:

A household size of three with CA needs of \$345.50 semimonthly and \$500 in current resources receives a lump sum payment of \$2,100 from lottery winnings. The lump sum payment exceeds the household's standard of need, and if added to the household's current countable resources, the household would become ineligible ($\$500 + \$2,100 = \$2,600$) due to excess resources. In this instance the set-aside rule is applied. The household's CA resource limit is \$2,000. Therefore, the Worker must set aside \$1,500 ($\$2,000 - \$500 = \$1,500$) from the lump sum payment as a noncountable resource. Subtract the set-aside amount from the total lump sum payment to determine how much, if any, of the lump sum payment is budgetable. ($\$2,100 - \$1,500 = \$600$) The remaining amount of the lump sum payment (\$600) can be budgeted against the household's needs (\$345.50 semimonthly) to determine eligibility and benefit amount.

The set-aside rule only applies if the lump sum payment exceeds the standard of need for the household size. Nonexempt lump sum payments that are less than the standard of need are counted as income in the month received.

Example C:

A household of three with a standard of need of \$345.50 semimonthly receives a lump sum payment of \$100. Since the lump sum payment does not exceed the household’s standard of need, the lump sum payment is budgeted as unearned income in the month received. If the participant has other income already budgeted, a new budget must be calculated to include this income with the previously budgeted income to determine the household’s new budget deficit.

Other resource exemptions allowed for lump sum payments

In addition to the initial resource limit set-aside exemption, any remainder of the lump sum payment or the entire lump sum payment can be further set aside if the participant applies any or all of the lump sum to any of the following within 90 days of receipt:

See the “Motor Vehicles” section of this PD for exempt motor vehicles.

- The purchase of an automobile that is exempt from the resource limit because it is needed to seek or retain employment or for travel to and from work (maximum \$9,300)
- A resource-exempt bank account that is established to purchase a first or replacement automobile that will be used to seek or retain employment (maximum amount \$4,650)
- A college tuition account that is used to pay tuition at a two-year postsecondary educational institution (maximum amount \$1,400)
- A resource-exempt burial plot
- A resource-exempt bona fide funeral agreement (maximum amount \$1,500)

Accounts for general-purpose automobiles are not exempt.

Repaying past assistance

A participant can also turn all or part of the lump sum payment over to the agency to repay past assistance. If the participant chooses to do so, advise him/her to submit a check or money order made payable to the Human Resources Administration. The payment must be submitted to the Disbursement and Collection (D&C) Unit. D&C will give the participant a copy of the Single Item Cash Collection form (**M-158**), which indicates the amount submitted. One copy of the **M-158** is forwarded to the Worker while the original along with the Transmittal/Batch Control Form (**M-158e**) and the money is forwarded to the Division of Accounts Receivable and Billing, 180 Water St. 9th Floor, New York, NY 10038.

Revised

The **M-158** and **M-158e** forms are stocked by the warehouse and are not available through Print on Demand. Center Directors must contact the warehouse to replenish the supply of forms.

Must be documented

If the participant verifies through documentation that s/he has used that amount of the lump sum in whole or in part for one or more of the exempt resources listed above within 90 days of receipt, the Worker must determine eligibility based on the unused portion of the lump sum payment.

Example D:

A Family Assistance household of three with current countable resources of \$500 and CA needs of \$345.50 semimonthly receives a lump sum payment of \$5,000 from bingo. The lump sum payment exceeds the household’s standard of need, and if combined with the current countable resources would exceed the CA resource limit (\$2,000). Using the set-aside rule, \$1,500 would be subtracted from the \$5,000 lump sum payment (Resource Limit [\$2,000] minus current resources [\$500] = \$1,500 [set-aside] and \$3,500 would be budgetable. The \$3,500 exceeds the CA needs; thus the household would be ineligible for CA for a period of time (in this case, five months with a remainder to be applied in the sixth month) or unless the household turns the \$3,500 over to the agency to repay past assistance or uses it within 90 days for one or more of the exceptions listed on page eight.

See **Attachment A**

The “Requirement to Report a Lump Sum Payment” (**Attachment A**) must be included in all CA application and recertification kits. The attachment must also be given to participants reporting the receipt of a lump sum payment. This attachment explains the new lump sum policy.

Lump Sum-Related Closing Code

Use WMS Closing Code **E38** (Excess Income – Lump Sum) to close a CA case that is ineligible because of a lump sum payment.

PROGRAM IMPLICATIONS

Paperless Office System (POS) Implications

The **Resources** window records various types of resources the household member(s) may possess. The Worker must use the scroll bar to view all of the questions. A “Yes” response to any question prompts a **Response to Question** window. Enter the required information, including all documents to be scanned that refer to the resource, along with a comment. Then click the **OK** button (to save the response before exiting the question) or the **Cancel** button (to exit the question without saving the response).

Food Stamp Implications

Revised

Categorically eligible households are not subject to FS resource limits. Categorically eligible households are households that do not include a sanctioned individual or an individual who is disqualified because of an Intentional Program Violation (IPV), and:

- receive or are eligible for CA and/or Supplemental Security Income (SSI); or
- pass the 130% gross income test; or
- include members who are aged or disabled and pass the 200% gross income test

If a CA case is denied/closed as a result of resources, a separate FS determination is required and the FS resource policy must be applied to the NCA FS case if the case is not categorically eligible for FS. Nonrecurring lump sum payments are counted as a resource in the month the payment was received. For more detailed information concerning the FS resource policy refer to section 16 of the Food Stamp Source Book (FSSB).

Medicaid Implications

The resources limits must be applied when determining Medicaid eligibility. Please note the following exceptions:

- The Medicaid resource limit is \$3,000 for all Family Assistance cases. For single individuals and childless couples, the Medicaid resource limit is \$2,000.
- Non-exempt real property must be fully counted as a resource for MA purposes. The six-month exemption for liquidation of real property when applying for CA does not apply to Medicaid applicants/participants.

Applicants/participants who have excess resources or real property (other than his/her primary residence) are ineligible for Medicaid.

LIMITED ENGLISH SPEAKING ABILITY (LESA) AND HEARING-IMPAIRED IMPLICATIONS

For Limited English Speaking Ability (LESA) and/or hearing-impaired applicants/participants, make sure to obtain appropriate interpreter services in accordance with [PD #06-12-OPE](#) and [PD #06-13-OPE](#).

FAIR HEARING IMPLICATIONS

Avoidance/ Resolution

Applicants and participants whose cases are denied/closed for excess resources are entitled to request a Fair Hearing.

Remember to give the individual an opportunity for a conference and/or resolution on this issue. Please evaluate each case according to the resource changes listed in this directive.

Conferences

An applicant/participant can request and receive a conference with a Fair Hearing and Conference (FH&C) AJOS/Supervisor I at any time. If an applicant/participant comes to the Job Center requesting a conference, the Receptionist must alert the FH&C Unit that the individual is waiting to be seen. In Model Offices, the Receptionist at Main Reception will issue an FH&C ticket to the applicant/participant to route him/her to the FH&C Unit and does not need to verbally alert the FH&C Unit staff.

The FH&C AJOS/Supervisor I will listen to and evaluate any material presented by the applicant/participant, review the case file and discuss the issue(s) with the JOS/Worker responsible for the case and/or the JOS/Worker's Supervisor. The AJOS/Supervisor I will explain the reason for the Agency's action(s) to the applicant/participant.

If the determination is that the applicant/participant has presented good cause for the infraction or that the outstanding Notice of Intent needs to be withdrawn for other reasons, the FH&C AJOS/Supervisor I will settle in conference (SIC), enter detailed case notes in NYCWAY and forward all verifying documentation submitted by the applicant/participant to the appropriate JOS/Worker for corrective action to be taken. In addition, if the adverse case action still shows on the "Pending" (**08**) screen in WMS, the AJOS/Supervisor I must prepare and submit a Fair Hearing/Case Update Data Entry Form ([LDSS- 3722](#)), change the **02** to an **01** if the case has been granted aid continuing (ATC), or prepare and submit a CA Recoupment Data Entry Form ([LDSS-3573](#)) to delete a recoupment. The AJOS/Supervisor I must complete a Conference Report ([M-186a](#)).

If the determination is that the applicant/participant has not shown good cause for the infraction or that the Agency's action(s) should stand then the AJOS/Supervisor I will explain to the applicant/participant why s/he cannot settle the issue(s) in conference (SIC). The AJOS/Supervisor I must complete an **M-186a**.

Should the applicant/participant elect to continue his/her appeal by requesting a Fair Hearing or proceeding to a Fair Hearing already requested, the FH&C AJOS/Supervisor I is responsible for ensuring that further appeal is properly controlled and that appropriate follow-up action is taken in all phases of the Fair Hearing process.

Evidence Packets All complete and relevant evidence packets must include verification of the applicant/participant's resources. This includes a copy of the relevant bank statement, bankbook, insurance policy, property deed, or vehicle registration, the decision made by the Resource Consultant and the appropriate WMS printouts.


REFERENCES

[07 ADM - 09](#) Categorical Eligibility for Food Stamps
[03 ADM-10](#) TA Policy Changes: Lump Sum Set Asides and Resource Two-Year College Fund Exemption
[00 ADM-5](#) Changes in the Automobile Exemption Policy for Temporary Assistance (TA)
[GIS 01 TA/DC040](#) Exemption of Disaster Relief Payments Social Services Law 131-n
[18 NYCRR 352.23](#)
[Temporary Assistance Source Book](#) Chapter 19
[Food Stamp Source Book](#) Section 16

RELATED ITEMS

[PD #03-42-OPE](#) Kelley Blue Book
[PD #08-01-ELI](#) FS Resource Policy

ATTACHMENTS

 Please use Print on Demand to obtain copies of forms.

Attachment A Requirement to Report a Lump Sum Payment
M-158 Single Item Cash Collection (Rev. 5/07)
M-158e Transmittal/Batch Control Form (Rev. 6/98)
W-204X CA and FS Resource Limits/Exemptions Desk Guide (Rev. 1/2/2008)

Effective December 17, 2003 - Attachment A

The lump sum section of Book 1 (What You Should Know About Your Rights and Responsibilities) at the top of page 18 is no longer accurate. A new law has been put in place. The notice below tells you about this new law on lump sums.

Requirement To Report A Lump Sum Payment

A lump sum payment is a one-time payment, such as an insurance settlement, an accumulated retroactive monthly benefit, an inheritance or a gambling winning that when combined with your other countable monthly income is more than your monthly Temporary Assistance needs (this is the TA grant before income is counted). When a one-time payment is small, that is, when it, combined with your other countable monthly income, is less than your monthly Temporary Assistance needs (this is the TA grant before income is counted), it is not considered a lump sum; it is just treated as income. If you or any member of your household gets or expects to get a lump sum payment or a one-time income payment, you must tell your worker **right away**. If you get a lump sum payment, and you are getting Temporary Assistance, your grant may be affected as follows.

- 1) If you get a lump sum payment, you may be allowed to keep that portion of the lump sum, which together with your countable resources does not go over the resource limit. This is called the resource set aside. The resource limit is \$2,000 for a person or family or \$3,000 if the person is, or the family contains a member, age 60 or older.
- 2) If the remaining amount (what is over the resource level) is **less than** your monthly Temporary Assistance needs (this is the TA grant before income is counted), this remainder of the lump sum payment will be counted as income for the month in which you get it. Be sure to look at the Exceptions below.
- 3) If the remaining amount is **more than** your monthly Temporary Assistance needs, you must do one of the following:
 - **TURN OVER** the lump sum payment to the local department of social services to pay back the money and help you got in the past.
 - If the lump sum payment is less than the amount of the assistance that was paid to you in the past, your case may stay open.
 - If the lump sum payment is more than the amount of the assistance that was paid to you in the past, the rules in the "**Keep**" section below apply.
 - **KEEP** the lump sum payment or the balance of the lump sum payment. Your Temporary Assistance case will then be closed for a certain amount of time. The length of time for which your case will be closed depends on how much the lump sum payment is, and how much your Temporary Assistance needs are.

EXAMPLE: If you get \$4,750 in a lump sum and had income of \$250 for a total of \$5000, and you have \$500 in countable resources, you can keep \$1,500 (\$2000 resource limit - \$500 in resources). This is the resource limit set aside. If you do not turn the remainder (\$3, 500) over to the agency, it

will be used to figure out how long you cannot get Temporary Assistance. If your monthly Temporary Assistance needs are \$500, your household cannot get Temporary Assistance for 7 months (\$3,500 divided by \$500 needs =7 months).

Be sure to look at the "**Exceptions**" below.

NOTE: If you are receiving child care benefits, some lump sum payments will impact your child care eligibility or the amount of your child care benefits. You must tell your worker about any lump sum payments immediately.

If you are receiving Medical Assistance, a lump sum payment may affect your eligibility. You must tell your worker about any lump sum payments you receive immediately.

EXCEPTIONS

You and anyone who is in your case during the month in which you got the lump sum will not be able to get Temporary Assistance for a certain amount of time, even if the lump sum payment was spent, **unless** one of the following shortens that amount of time:

- Within ninety days of receipt of the lump sum you document to us that you have used any or all of the lump sum for the following exempt resources:
 - to purchase an automobile that is exempt from the Temporary Assistance resource limit and needed to seek or retain employment or for travel to and from work activities (maximum amount \$9,300 or higher if set by district);
 - to open a separate bank account or bank accounts that is exempt from the Temporary Assistance resource limit such as a First or Replacement Automobile Account for the purpose of purchasing an automobile to seek or retain employment (maximum amount \$4,650), or a College Tuition Account for the purpose of paying tuition at a two year post -secondary educational institution (maximum amount \$1,400);
 - to purchase a burial plot that is exempt from the Temporary Assistance resource limit, or
 - to purchase a bona-fide funeral agreement (maximum amount \$1, 500) that is exempt from the Temporary Assistance resource limit.

If you use up the remainder of the lump sum within 90 days of receipt and document to us that the remainder has gone into one or more of these exempt resources we will reopen your case back to the date it was closed if you reapply and are found otherwise eligible. If you have questions about using the lump sum on these exempt resources talk to your worker before you do anything with the money.

Note: If the district determines you have not used any of these set-asides for the purposes for which they were intended (i.e. you later close out or remove funds and do not use these bank accounts for the purpose for which these funds are set aside or, you otherwise liquidate burial plots or funeral agreements etc.), the social services district may calculate an overpayment of assistance granted.

- **Something happens which would make your Temporary Assistance go up if you were still getting Temporary Assistance.**

For example, your rent goes up or you have a special need such as pregnancy.

- **Some or all of the lump sum payment was used for a reason that you could not help. Some examples are: your family is faced with an emergency, you have unusually high household expenses such as fuel or shelter or the money is stolen.**
- **During the time you are ineligible for Temporary Assistance, a family member gets and pays for medical care that would be covered under the Medical Assistance Program.**

If your local department of social services finds out that you have countable property or that you may be getting a lump sum payment, they may place a lien against that property or the lump sum payment. This means that before you get any money from the property or lump sum payment, your local department of social services may take the amount of Temporary Assistance you, your spouse and child (ren), including stepchildren, have gotten. Liens may also be placed on personal injury settlements and any real property that you own. Real property includes the home you own and live in, as well as other real estate you may own.

If you are receiving Food Stamp Benefits and you receive a non-recurring lump sum, it will be counted as a resource starting in the month it was received and will not be counted as income.

THE CITY OF NEW YORK HUMAN RESOURCES ADMINISTRATION
DIVISION OF ACCOUNTS RECEIVABLE AND BILLING
 180 WATER STREET, 9th Floor NEW YORK, N.Y. 10038
SINGLE ITEM CASH COLLECTION

(NOTE: THE COLLECTION MUST ACCOMPANY THIS FORM)

PRESS FIRMLY- USE BALLPOINT PEN - PLEASE PRINT
 COMPLETE ALL BLANKS IN THIS SECTION:

TRANS CODE (Circle one) RRS OIR CRS		MAIL RECEIPT: (Circle one) YES NO		Language Code	Description
DOCUMENT NO. 41630		CASE NUMBER		CIN	A ARABIC
DOCUMENT DATE		MANAGEMENT UNIT CODE		CATEGORY CODE	C CHINESE
					D HAITIAN / CREOLE
					E ENGLISH
					K KOREAN
					R RUSSIAN
					S SPANISH

FILL IN ALL CASE IDENTIFYING INFORMATION

SOC.SEC.NO.:		LANGUAGE CODE:	
CASE LAST NAME:		CASE FIRST NAME:	
CASE ADDRESS STREET:			APT #:
BOROUGH:		STATE:	ZIP:
RTI NUMBER:	OFFENSE Type:	OFFENSE Sub Type:	

SAMPLE

IF PAYER IS NOT THE SAME AS ABOVE CASE, COMPLETE THIS SECTION:

PAYER CODE:	PAYER: (Circle One) OLD NEW	PAYER NAME:
PAYER ADDRESS STREET:		APT#
BOROUGH:	STATE:	ZIP:

COLLECTION INFORMATION

(Circle One) REFUND / RECOVERY		(Circle One) CASH / CHECK / MONEY ORDER	
ITEM CLASS CODE:	ITEM CLASS DESCRIPTION:		
APPLICABLE ASSISTANCE DATES (MM/YYYY) TO (MM/YYYY)		REFERENCE NO.(IF APPLICABLE)	AMOUNT:
FROM	TO		\$

COMMENTS (USE ONLY 30 CHARACTERS)

CREATE NGC:
YES / NO

COLLECTED BY: _____ **DATE** _____

PREPARED BY: _____ **DATE** _____

REVIEW BY: _____ **DATE** _____

THE CITY OF NEW YORK HUMAN RESOURCES ADMINISTRATION
DIVISION OF ACCOUNTS RECEIVABLE AND BILLING
 180 WATER STREET, NEW YORK, N.Y. 10038
TRANSMITTAL/BATCH CONTROL FORM
 SEND TO MISC. RECEIPTS SECTION

TRANSACTION CODE			DOCUMENT NUMBER	076518		
DATE SUBMITTED	/	/	MANAGEMENT UNIT CODE			
TOTAL DOLLAR AMOUNT	\$.	NUMBER OF DOCUMENTS			

MANAGEMENT UNIT NAME _____

	DOCUMENT NUMBER	DOCUMENT AMOUNT	COMMENTS
1.		\$.	
2.		\$.	
3.		\$.	
4.		\$.	
5.		\$.	
6.		\$.	
7.		\$.	
8.		\$.	
9.		\$.	
10.		\$.	
11.		\$.	
12.		\$.	
13.		\$.	
14.		\$.	
15.		\$.	
TOTAL		\$.	

SAMPLE

PREPARED BY _____ SIGNATURE _____ DATE _____

REVIEWED BY _____ SIGNATURE _____ DATE _____

RECEIVED BY (MR) _____ SIGNATURE _____ DATE _____

MR REVIEW _____ SIGNATURE _____ DATE _____



CA and FS Resource Limits/Exemptions Desk Guide

The following rules apply to all applicants and participants. However, for FS purposes, households that are categorically eligible for FS are not subject to the resource limitation requirements.

Resources	Cash Assistance (CA)	Food Stamps (FS)
<p>Licensed Vehicles</p>	<ul style="list-style-type: none"> The household may own one vehicle with a fair market value of \$4,650. The fair market value is determined by using the wholesale value (trade-in value) quoted in the Kelley Blue Book. If the vehicle is used to travel to and from employment or to seek or maintain work activities, the exemption amount is increased to \$9,300. 	<p>One licensed vehicle per adult household member and one licensed vehicle for each child under age 18 who uses the vehicle for school, work, training, or to look for work is excluded from the resource test.</p> <p>Additional Licensed Vehicles are Excluded When:</p> <ul style="list-style-type: none"> Used to produce earned income (including situations where the use of one's personally owned vehicle is required for employment such as that of a courier, delivery person, etc.); Annually producing income consistent with its fair market value, even if used only on a seasonal basis; Necessary for long-distance travel, other than daily commuting, when it is essential to the employment of a household member or ineligible alien or disqualified person regardless of purpose of transportation; Used as the household's home; Necessary to transport a physically disabled household member or ineligible alien or disqualified person; Leased by a household member; The title is held by a nonmember AND no member of the household is permitted to access the cash value of the vehicle; A household depends on it to carry fuel for heating or water for home use; The sale of the vehicle will produce a return of \$1,500 or less. <p>NONEXCLUDED: Licensed vehicles that do not meet these criteria must have the full equity value applied to the household's applicable liquid resource limit. Unlicensed vehicles and recreational vehicles must have their full equity value applied to the household's resource limit.</p>
<p>Liquid Cash Limits (includes bank accounts, saving bonds, and cash on hand)</p>	<ul style="list-style-type: none"> \$3,000 for a household where at least one person is elderly (60 years of age or older). \$2,000 for all other households. 	<ul style="list-style-type: none"> \$3,000 for a household where at least one person is elderly (60 years or older) or <u>disabled</u>. \$2,000 for all other households.
<p>Liquid Cash Exemptions</p>	<ul style="list-style-type: none"> Federal assistance provided under public law (PL) 93-288 Section 312(d) (Disaster Relief Act of 1974), as amended by PL 100-707. Comparable disaster assistance payments provided by state or local governments, or by disaster relief organizations, such as the American Red Cross or Salvation Army. Federal Emergency Management Agency (FEMA) payments made when there is a disaster or emergency. One separate bank account per household member that is created for the sole purpose of paying tuition (maximum = \$1,400) at a two-year accredited, postsecondary institution. 	<ul style="list-style-type: none"> Federal assistance provided under public law (PL) 93-288 Section 312(d) (Disaster Relief Act of 1974), as amended by PL 100-707. Comparable disaster assistance payments provided by state or local governments, or by disaster relief organizations, such as the American Red Cross or Salvation Army. Federal Emergency Management Agency (FEMA) payments made when there is a disaster or emergency.

SAMP

See Chapter 19, pages 1-8 of the Temporary Assistance Source Book for a full list of excluded resources; also see Section 16, pages 4-9 of the Food Stamp Source Book for a full list of excluded resources.

NOTE: Resources of categorically eligible individuals continue to be exempt from the Food Stamp resource test. H/H's with a member that is sanctioned or disqualified due to an IPV are not categorically eligible for FS and must pass the resource test.

CA and FS Resource Limits/Exemptions Desk Guide

The following rules apply to all applicants and participants. However, for FS purposes, households that are categorically eligible for FS are not subject to the resource limitation requirements.

Resources	Cash Assistance (CA)	Food Stamps (FS)
<p>Lump Sum Payment Exemptions</p> <p>These exemptions apply to participants only.</p>	<p>The lump sum period of ineligibility can be shortened if:</p> <ul style="list-style-type: none"> • the lump sum is used to repay the agency for past assistance; <ul style="list-style-type: none"> ▪ a resource set aside (maximum = \$2,000 for individual or family, or \$3,000 for individual or family with a member 60+; <u>or</u> • the lump sum is used to pay for medical expenses that would have been covered by Medicaid; • the lump sum becomes unavailable for reasons beyond the family's control; • the lump sum is used to meet the household's increased standard of need. <p style="text-align: center;">OR</p> <p>The lump sum is used within 90 days for <u>one</u> of the following:</p> <ul style="list-style-type: none"> • the purchase of an automobile that is exempt from resource limit because it is needed to seek or retain employment or travel to and from work (maximum \$9,300); • a resource-exempt bank account that is established to purchase a first or replacement automobile that will be used to seek or retain employment (maximum \$4,650); • a college tuition account that is used to pay tuition at a two-year postsecondary education institution (maximum = \$1,400); • a resource-exempt burial plot; • a resource-exempt bona fide funeral agreement (maximum = \$1,500). 	<p>Nonrecurring lump sum payments are <u>counted as a resource</u> in the month the payment was received.</p>
<p>Earned Income Tax Credit (EITC)</p>	<p>Exempt as income or a resource, whether received as a refund or as an advance payment as long as the EITC amount remains identifiable.</p>	<p>Advance payments of Federal EITC are excluded in the month received. Federal and State EITC paid in the form of a lump sum at the end of the year are also excluded as long as they remain identifiable.</p>
<p>Household Goods and Personal Effects</p>	<p>Items essential to day-to-day living, such as clothes, furniture and other similarly essential items of limited value.</p>	
<p>Home</p>	<p>A home that is the primary residence of the family.</p>	
<p>Burial Plot</p>	<p>One burial plot or space per household member.</p>	
<p>Funeral Agreement</p>	<p>One funeral per household member (maximum equity value of \$1,500).</p>	
<p>Real Property (not primary residence)</p>	<p>Exempt for six (6) months while the household is making a good faith effort to sell if the individual agrees, in writing, to repay cash public assistance received.</p>	<p>Real property remains excluded as a resource when the household is making a good faith effort to sell the property at a reasonable price and has not yet sold.</p>

NOTE: Resources of categorically eligible individuals continue to be exempt from the Food Stamp resource test. H/H's with a member that is sanctioned or disqualified due to an IPV are not categorically eligible for FS and must pass the resource test.