



FAMILY INDEPENDENCE ADMINISTRATION

Seth W. Diamond, Executive Deputy Commissioner



James K. Whelan, Deputy Commissioner
Policy, Procedures, and Training

Lisa C. Fitzpatrick, Assistant Deputy Commissioner
Office of Procedures

POLICY DIRECTIVE #09-19-ELI *(This Policy Directive Replaces PD #09-07-ELI)*

CASH ASSISTANCE RESOURCE POLICY

Date: May 5, 2009	Subtopic(s): Resources
-----------------------------	----------------------------------

AUDIENCE

The instructions in this policy 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 Source Book. This policy directive is informational for all other staff.

REVISIONS TO THE PRIOR DIRECTIVE

This policy directive has been revised to clarify the:

- instances in which the fair market value and equity value rules are applied to accurately determine the household's resources.
- use of the term "trade-in, good condition" value.

POLICY

Resources must be used to eliminate or reduce the need for Cash Assistance (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. The resources of 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.

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*

BACKGROUND

The current CA and FS Resource Limits/Exemptions Desk Guide (**W-204X**) is used to help determine eligibility.

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.

Licensed Vehicles

A CA household may own one vehicle with a Fair Market Value (FMV) exemption 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 FMV of the vehicle exceeds the appropriate exemption amount is countable toward the appropriate liquid resource limit (\$2,000 or \$3,000).

Revised

The value of a vehicle for CA purposes is based on the Kelley Blue Book’s “trade-in, good condition” value. Then, either the FMV or equity value rule will apply as follows:

- Fair Market Value – The FMV is only applied to the first (or only) vehicle and carries an exemption amount of \$4,650 for general purpose use or \$9,300 if the vehicle is used to travel to and from work or to seek or maintain employment activities.

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

The FMV is the “... *trade-in, good condition...*” value as quoted in the Kelley Blue Book, regardless of any encumbrances (e.g., liens or monies still owed).

However, when the applicant/participant provides verification that the vehicle is actually worth less than the Kelley Blue Book estimate, such proof is acceptable. The applicant/participant must be advised of his/her right to provide such proof.

- Equity Value – The equity value is applied to the second or subsequent vehicles in the household. The equity value of a vehicle is determined by using the trade-in, good condition value as quoted in the Kelley Blue Book, less any encumbrances.

Real Property

For CA purposes, a house, condominium, or cooperative that is the applicant’s/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 he/she received but would not have been entitled to had the property been sold immediately.

CA Two-year Accredited Postsecondary Educational Institution 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 from any other account. One account per household member is allowed. The individual does not have to be in school when the account is created.

Lump Sum Payments

A lump sum payment means 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, does 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 within 90 days of receipt to:

- purchase a vehicle 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 a vehicle 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 accredited postsecondary educational institution, not to exceed \$1,400.

Excluded Resources

The following disaster assistance payments to victims of the September 11, 2001 disaster are permanently exempt from 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 of 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 the TASB, Chapter 19, for a listing of all 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 JOS/Worker must explore the availability of any resource(s) with the applicant or participant. The JOS/Worker must determine whether the household is categorically eligible for FS. If the household 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. To determine eligibility for CA households, the JOS/Worker must identify the resource as either an exempt or nonexempt resource.

Motor Vehicles

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

- review the vehicle registration to document the make, model, year, registration/plate number, registration expiration date, and class of registration. The ownership is documented by the title of the motor vehicle.
- refer to the Kelley Blue Book for the current trade-in good condition value of the vehicle to determine the FMV.

The Kelley Blue Book will also require additional information specific to the vehicle such as mileage and additional amenities. This information must be obtained from the applicant/participant.

Revised

Encumbrances (e.g. liens or monies still owed) are not taken into consideration when using the FMV rule.

- determine the use of the vehicle:
 - If the vehicle is used only for general purposes, exempt the first \$4,650 of the FMV, regardless of any encumbrances (e.g., liens or monies still owed) and apply the remaining amount against the household's liquid resource limit.

If at least one estimate proves that the vehicle's value exceeds the \$4,650 exemption amount, the remaining amount must be applied against the \$2,000/\$3,000 CA resource limit, as applicable.

Example 1: A family of three (all under 60 years of age) applies for CA. At the eligibility interview, the JOS/Worker is informed that the family owns a 2007 Ford Taurus SEL Sedan 4D that is in good condition, and has accrued 10,000 miles. The vehicle is used for general purposes (not used for work or to seek employment). The Kelley Blue Book indicates that the good condition value is \$7,475. Under the resource limit guidelines, the first \$4,650 is exempt, leaving \$2,825 to be applied against the \$2,000 CA resource limit. The family is ineligible for CA.

One vehicle used for work or to seek employment can receive the \$9,300 exemption per household.

- If the vehicle is used for employment or work activity purposes, exempt the first \$9,300 of the FMV and apply any remaining amount against the household's resource limit for CA. Only one vehicle per household can receive the higher \$9,300 exemption.

General purpose vehicles have a \$4,650 exemption.

- inform the applicant/participant that if he/she believes that the value of the vehicle is less than the quoted FMV, he/she has the right to provide an estimate from an automobile dealer of the same vehicle make and model.
- give the applicant/participant the opportunity to submit an appraisal from a reliable source if he/she claims that the Kelley Blue Book value does not apply to his/her vehicle.

If the applicant/participant can prove that the vehicle is actually worth less than the original estimate, such proof must be accepted.

Example 1A: Using the same scenario in **Example 1** in which the family would be ineligible for CA based on the Kelley Blue Book good condition value of the vehicle, if the applicant believes that the actual value of the vehicle is far less, he/she is given the opportunity to support his/her claim. The applicant subsequently submits a dealer's estimate that indicates that the value of the vehicle is indeed only \$4,500.

The vehicle is now valued at the amount quoted by the dealer, which makes the vehicle worth less than the \$4,650 exemption amount for a general use vehicle, therefore, the household remains eligible for CA.

- if the applicant/participant owns a new vehicle that 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.
- if the household owns more than one vehicle, the equity value rule (FMV less any encumbrances) applies for the additional vehicle(s). The equity value is counted against the household's liquid resource limit.
- if the equity value exceeds the applicable resource limit, the household is ineligible for CA.

Additional vehicles

Use the equity value to determine the value of the second and subsequent vehicles.

Revised

Example 2: At recertification, it was reported that a household member just financed a second used vehicle (2005 Toyota Corolla). The household already has one vehicle that is used for work with a FMV of \$10,000. Because it is used for work, \$9,300 of the first vehicle's value is exempt. The excess FMV amount of \$700 is applied against the \$2,000 CA resource limit, which makes the household still eligible for CA. The equity value rule must now be applied toward the 2005 Toyota Corolla.

The Kelley Blue Book trade-in good condition value for a 2005 Toyota Corolla with 85,000 miles is \$6,250. However, there is still \$5,300 remaining on the outstanding loan of this vehicle. Therefore, the true equity value of the second vehicle is currently \$950 (\$6,250 minus \$5,300 = \$950).

The FMV excess amount of the first vehicle (\$700), combined with the equity value of the second vehicle (\$950) equals \$1,650 in total resources. Since the household's total resources are less than the \$2,000 CA resource limit, the household remains eligible for CA.

Note: The equity value changes over time based on payments made and vehicle depreciation. Once the equity value of the household's total resources exceeds the CA resource limit (\$2,000/\$3,000, as appropriate), the household is no longer eligible for CA. The equity value must be reevaluated at every recertification.

Real Property

If an applicant/participant reports that he/she owns real property, review the deed. Verify the name on the deed and refer the applicant/participant to the Investigation Revenue and Enforcement Administration (IREA) Real Property Unit of the Bureau of Eligibility Verification (BEV) at 250 Livingston Street, 4th Floor, New York, NY 11201, as follows:

- Prepare the Information and Referral Notice ([W-34A](#)) and include all information on the real property.
- Telephone the BEV Telephone Bank at (718) 254-0400 to schedule the appointment for the applicant/participant. State that the appointment is for the Real Property Resource Interview.
- Give the applicant/participant the original **W-34A** form to take to the interview; file a copy of form **W-34A** in the case record.
- BEV will give the applicant/participant a Compliance with Real Property and Assets Unit (**W-590BB**) form as verification of compliance to return to the Worker at the Job Center.
- BEV will send notification to the Job Center when an applicant/participant fails to comply with BEV. An individual in a single-person household or a multiple person household (household size is greater than one), who fails to comply with BEV by refusing to sign or execute a lien, must be sanctioned using Welfare Management System (WMS) Reject/Closing Code **F84** (Failure to Sign Lien).

Note: In households with more than one adult, only the adults listed on the deed are sanctioned for noncompliance.

- If the applicant/participant is in receipt of CA, BEV will forward the property resource information to the IREA Liens and Recovery Division. Within six months, dating from the time the resource was reported, the Liens and Recovery Division will put a lien on the property.

Liens are placed by IREA Liens and Recovery Division.

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 JOS/Worker 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 tuition, the amount of the funds in the account at the time of the withdrawal are counted 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 then back on assistance. Once the account is established as a participant, the funds are exempt for CA purposes, 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 will 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) exceed 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, he/she is ineligible for assistance in that calendar month and in any month in which resources exceed the limit.

If an applicant's/participant's case is denied/closed due to excess resources, use one of the codes listed on the next page. 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 in the month following the month in which the resource was sold or exhausted.

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 Client Notices System (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 exceeds the limit

Lump Sum Policy

Lump Sum Policy (Set-aside Rule)

A CA participant can receive a lump sum payment without 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 3:

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 it 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.

The JOS/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 JOS/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 4:

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 for CA ($\$500 + \$2,100 = \$2,600$) due to excess resources. In this instance, the set-aside rule is applied. The household's CA resource limit is \$2,000. Therefore, the JOS/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.

Determining the set-aside 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 5:

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 policy directive for exempt vehicles.

- The purchase of a vehicle 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 vehicle 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 accredited 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 vehicles 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 (**M-158**) form, which indicates the amount submitted. One copy of form **M-158** is forwarded to the JOS/Worker while the original, along with the Transmittal/Batch Control (**M-158e**) form, and the check or money order are forwarded to the Division of Accounts Receivable and Billing, 180 Water Street, 9th Floor, New York, NY 10038.

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

Must be documented

If the participant verifies through documentation that he/she has used the 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 JOS/Worker must determine eligibility based on the unused portion of the lump sum payment.

Example 6:

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 the remaining time to be applied in the sixth month) 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 of this policy directive.

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 JOS/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

Categorically eligible households are not subject to FS resource limits. Categorically eligible households are households that:

- do not include either a sanctioned individual or an individual who is disqualified because of an Intentional Program Violation (IPV); and
- have at least one individual who receives or is eligible for CA and/or Supplemental Security Income (SSI); or
- pass the 130% gross income test; or
- have an aged/disabled individual and pass the 200% gross income test; or
- has a disabled member who has out-of-pocket dependent care expenses and passes 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 Non Cash Assistance (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

Resource limits must be applied when determining MA eligibility. Please note the following exceptions:

- The MA resource limit is \$3,000 for all Family Assistance cases. For single individuals and childless couples, the MA resource limit is \$2,000.
- Nonexempt 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 MA applicants/participants.

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

**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 #09-14-OPE](#) and [PD #08-20-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 shown 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 the New York City Work, Accountability and You (NYCWAY) system 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 01 if the case has been granted Aid to Continue (ATC), or prepare and submit a CA Recoupment Data Entry Form – WMS ([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 he/she cannot SIC. The AJOS/Supervisor I must complete form **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's/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

[09-ADM-06](#)
[07 ADM - 09](#)
[03 ADM-10](#)
[00 ADM-5](#)
[GIS 08 TA/DC029](#)
[GIS 01 TA/DC040](#)
[Social Services Law 131-n](#)
[18 NYCRR 352.23, 352.29\(h\), 387.9\(b\), 387.14\(a\)\(5\)\(i\) and \(ii\)](#)
[Temporary Assistance Source Book](#) Chapter 19
[Food Stamp Source Book](#) Section 16

RELATED ITEMS

[PD #03-42-OPE](#)
[PD #08-01-ELI](#)
[PD #08-31-ELI](#)

ATTACHMENTS

 Please use Print on Demand to obtain copies of forms.

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. 5/5/09)

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)
Licensed Vehicles	<p>The household may own one vehicle with a Fair Market Value (FMV) *of \$4,650.</p> <p>First or only vehicle:</p> <ul style="list-style-type: none"> • Use the <u>FMV</u> rule as follows: <ul style="list-style-type: none"> ■ Apply the Kelley Blue Book's trade-in "good condition" value of the vehicle. ■ Determine the purpose of the vehicle: <ul style="list-style-type: none"> – If used for <u>general purposes</u> – subtract a FMV exemption of \$4,650. – If used for <u>travel to and from work or to seek or maintain employment</u> – subtract a FMV exemption of \$9,300. ■ Compare the excess FMV to the CA resource limit of \$2,000/\$3,000, as appropriate. ■ In those instances in which the applicant/participant can prove that the vehicle is actually worth less than the value quoted in the Kelley Blue Book, such proof must be accepted. <p>Second or subsequent vehicle(s):</p> <ul style="list-style-type: none"> • Apply the <u>equity value</u> rule as follows: <ul style="list-style-type: none"> ■ Use the Kelley Blue Book's trade-in "good condition" value of the vehicle. ■ Subtract any encumbrances. Encumbrances are liens or amounts still owed on the vehicle. ■ Combine the excess FMV of the first vehicle with the equity value of the second vehicle. ■ Compare the total value of all vehicles to the CA resource limit of \$2,000/\$3,000, as appropriate. 	<p>One licensed vehicle per adult household member and one licensed vehicle for each child under 18 years of age 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 in which 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 FMV, 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, an ineligible alien or a disqualified person regardless of purpose of transportation; • used as the household's home; • necessary to transport a physically disabled household member, 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>NOTE: Resources of categorically eligible individuals continue to be exempt from the Food Stamp resource test.</p>
Liquid Cash Limits (includes bank accounts, saving bonds, and cash on hand)	<ul style="list-style-type: none"> • \$3,000 for a household in which 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 in which at least one person is elderly (60 years of age or older) or <u>disabled</u>. • \$2,000 for all other households.
Liquid Cash Exemptions*	<ul style="list-style-type: none"> • 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. • Comparable disaster assistance payments provided by state or local governments, or by disaster relief 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. • One separate bank account per household member that is created for the sole purpose of paying tuition at a two-year accredited, post secondary institution. 	<ul style="list-style-type: none"> • Federal assistance provided under P.L. 93-288 Section 312(d) (Disaster Relief Act of 1974), as amended by P.L. 100-707. • Comparable disaster assistance payments provided by state or local governments, or by disaster relief 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. <p>See Section 16 of the Food Stamp Source Book for a full list of excluded resources.</p>

*See Chapter 19 of the Temporary Assistance 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. Households with a member that is sanctioned or disqualified due to an Intentional Program Violation (IPV) are not categorically eligible for FS and must pass the resource test.

CA and FS Resource Limits/Exemptions Desk Guide (continued)

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 an individual or a household, or \$3,000 for an individual or a household with a member 60 years of age or older); <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 household'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 post secondary 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 CA 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. Households with a member that is sanctioned or disqualified due to an Intentional Program Violation (IPV) are not categorically eligible for FS and must pass the resource test.