

FYI

Inaccessible Assets and Domestic Violence

An inaccessible asset is an asset to which the individual has no ready access and the value of the asset is *not counted* when determining eligibility for TAFDC (106 CMR 204.125), EAEDC (106 CMR 321.125) or food stamp benefits (106 CMR 363.140). The inaccessibility of an asset is verified at application, eligibility review or when there are other changes in the case.

An asset may be determined inaccessible if:

- the individual is a victim of domestic violence; and
- attempting to access the asset puts her at risk of further domestic violence.

For some victims, one asset may be considered accessible while others are not. For example, although a domestic violence victim may own a car, accessing or disposing of the vehicle may increase the risk of the abuser locating the victim and then causing more harm. However, this same individual may have cash on hand or safe deposit box holdings that may be accessed safely and are therefore countable assets.

In such cases, an individual must document that she is a victim of domestic violence and that attempting to access the asset may put her at risk. The AU Manager cannot require specific documentation from the domestic violence victim. However, in consultation with the DV Specialist the AU Manager should inform the individual of documentation that will help verify that she is a victim of domestic violence and attempting to access her assets may put her at risk of further domestic violence. Verification may include records from a:

- domestic violence program,
- court,
- hospital,
- law enforcement agency,
- psychologist, or
- if none of the above documentation is available, a signed statement from the individual claiming to be a victim of domestic violence.

In addition, in the following situations assets are not counted in determining eligibility for food stamp benefits. Since the assets of a victim of domestic violence in one of these situations would not be counted in determining food stamp eligibility, she would not have to demonstrate that the assets were inaccessible. The situations are:

- a food stamp AU where all members are residents of a battered woman's shelter (106 CMR 365.550(D));
- a food stamp AU in which all members receive TAFDC, SSI and/or EAEDC or where at least one member receives benefits or services under a TANF program (these AUs are categorically eligible for food stamps and are considered asset eligible.) (106 CMR 365.180)
- food stamp AU members who receive SSI or TAFDC (106 CMR 363.140 (H)).

BEACON Release 2.0 Pilot Activities - Phase II

All Field Operations Memo 2001-7A

This Field Operations Memo responds to Transitional Assistance Office Staff questions

Continued on Page 9