

# OREGON

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LEXSTAT OR. ADMIN R 461-145-0025

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CHAPTER 461 DEPARTMENT OF HUMAN SERVICES, SELF-SUFFICIENCY PROGRAMS  
DIVISION 145 TREATMENT OF SPECIFIC ASSETS

*Or. Admin. R. 461-145-0025 (2007)*

461-145-0025 Approved Accounts

; OSIP-EPD and OSIPM-EPD

(1) All money in an approved account (see OAR 461-001-0035) is excluded as a resource during the determination of eligibility.

(2) Only money from the client's own earned income, or money contributed from an employer based on earnings, may be deposited into an approved account.

(3) A retirement-related approved account must be set up in a financial institution and must comply with IRS regulations.

(4) An asset purchased with money from an approved account is excluded if the asset is for an employment and independence expense (see OAR 461-001-0035).

(5) If money from the approved account is used for a purpose not consistent with the definition of approved account in OAR 461-001-0035, the client will be prohibited from utilizing an approved account for the next 12 months for the purposes of the determination of eligibility.

Statutory Authority: *ORS 411.060, 411.070 & 414.042*

Statutes Implemented: *ORS 411.060, 411.070 & 414.042*

History: AFS 1-1999(Temp), f. & cert. ef. 2-1-99 thru 7-31-99; AFS 7-1999, f. 4-27-99, cert. ef. 5-1-99; SSP 17-2003, f. & cert. ef. 7-1-03; SSP 15-2006, f. 12-29-06, cert. ef. 1-1-07

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*Or. Admin. R. 461-145-0030 (2007)*

461-145-0030 Bank Account

(1) As used in this rule, a bank account includes a money market account and an account in a financial institution (see *OAR 461-001-0000*), except that accounts in financial institutions for stocks, bonds, and certificates of deposit (CDs) are covered in *OAR 461-145-0520*.

(2) Money in a bank account available to one or more members of the financial group (see *OAR 461-110-0530*) is counted as a resource in accordance with *OAR 461-140-0020*, unless it is excluded under this rule or another rule in this chapter of rules.

(3) In each of the following situations, money in a bank account is excluded as a resource:

(a) An approved account if excluded under *OAR 461-145-0025*.

(b) A burial fund if excluded under *OAR 461-145-0040*.

(c) A designated bank account for an OSIP-IC and OSIPM-IC client if:

(A) The account is designated to receive program benefits by direct deposit through electronic funds transfer; and

(B) The benefit funds are not commingled with other assets of the client.

(d) Funds from excluded income if excluded as a resource under *OAR 461-140-0070*.

(e) An Individual Education Account if excluded under *OAR 461-145-0265*.

(f) Money for a plan for self-support if excluded under *OAR 461-145-0405*.

(g) Proceeds from the sale of a home if excluded as a resource under *OAR 461-145-0460*.

(4) Interest and dividends earned on funds in a bank account are counted as unearned income, unless the account is excluded as a resource under section (3) of this rule or under another rule in this chapter of rules.

Statutory Authority: *ORS 411.060, 411.816, 418.100*

Statutes Implemented: *ORS 411.060, 411.700, 411.816, 418.100*

History: AFS 80-1989, f. 12-21-89, cert. ef. 2-1-90; AFS 11-2001, f. 6-29-01, cert. ef. 7-1-01; SSP 4-2007, f. 3-30-07, cert. ef. 4-1-07

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DIVISION 145 TREATMENT OF SPECIFIC ASSETS

*Or. Admin. R. 461-145-0040 (2007)*

461-145-0040 Burial Arrangements and Burial Fund

(1) The following definitions apply to this rule:

(a) A burial arrangement is an agreement with an entity -- such as a funeral agreement (which means an arrangement made with a licensed funeral provider), burial insurance, or a burial trust designating a funeral director as the beneficiary -- that makes allowance for burial costs. A burial arrangement does not include a burial space, which is covered in *OAR 461-145-0050*, or a burial fund.

(b) A burial fund is an identifiable fund set aside for a client's burial costs. A burial fund does not include a burial space, which is covered in *OAR 461-145-0050*, or a burial arrangement.

(2) A burial arrangement is treated as follows:

(a) In the ERDC, FS, MAA, MAF, OHP, REF, REFM, SAC and TANF programs, the equity value (defined in *OAR 461-001-0000*) of one prepaid burial arrangement for each member of the filing group is excluded.

(b) For grandfathered OSIP and OSIPM clients (see *OAR 461-125-0330(2)*, *461-125-0370(1)(b)*, and *461-135-0771*), up to \$ 1,000 in combined equity value of each burial arrangement with a licensed funeral director (plus accrued interest) and life insurance policies are excluded. The amount of combined cash and equity value of all life insurance and burial arrangements that is over \$ 1,000 is counted as a resource.

(c) In all programs not listed in subsection (a) of this section and for OSIP and OSIPM clients not covered by subsection (b) of this section, a burial arrangement is treated in the manner as the program treats a burial fund under section (3) of this rule.

(3) A burial fund is treated as follows:

(a) In the GA, GAM, OSIP, OSIPM, and QMB programs:

(A) A burial fund may be established only from financial means such as cash, burial contracts, bank accounts, stocks, bonds or life insurance policies.

(B) A burial fund is counted as a resource if it is commingled with assets unrelated to a burial. The amount set aside for burial must be in a separate account to be excluded from resource consideration.

(C) A burial fund may be established if the countable resources of a client exceed allowable limits. A burial fund is excluded from the resource calculation to the extent allowed in paragraph (D) of this subsection.

(D) The following calculation determines the exclusion for a burial fund:

(i) Up to \$ 1,500 of a burial fund may be excluded from resources for each of the following:

(I) The client.

(II) The client's spouse.

- (ii) The amount in subparagraph (i) of this paragraph is reduced by the total of the following amounts:
- (I) The face value of life insurance policies owned by the client that have already been excluded from resources.
  - (II) The amount in an irrevocable burial trust or any other irrevocable arrangement to cover burial costs.
- (E) All interest earned on an excluded burial fund or increases in the value of an excluded burial arrangement if left in the fund is excluded from income.
- (b) In all programs not listed in subsection (a) of this section, a burial fund is counted as a resource.
- (4) There is no overpayment for the time period during which the burial arrangement or burial fund existed if a client ---
- (a) Cancels an excluded burial arrangement; or
  - (b) Uses an excluded burial fund for any purpose other than burial costs.
- (5) If an asset originally used as a burial arrangement or burial fund is converted to other uses, the asset is treated under the other applicable rules.

Statutory Authority: *ORS 409.050, 411.060, 411.070, 411.816, 418.100*

Statutes Implemented: *ORS 409.050, 411.060, 411.070, 411.816, 418.100*

History: AFS 80-1989, f. 12-21-89, cert. ef. 2-1-90; AFS 12-1991(Temp), f. & cert. ef. 7-1-91; AFS 16-1991, f. 8-27-91, cert. ef. 9-1-91; AFS 2-1992, f. 1-30-92, cert. ef. 2-1-92; AFS 28-1992, f. & cert. ef. 10-1-92; AFS 6-1994, f. & cert. ef. 4-1-94; AFS 21-1995, f. 9-20-95, cert. ef. 10-1-95; AFS 3-1997, f. 3-31-97, cert. ef. 4-1-97; AFS 9-1997, f. & cert. ef. 7-1-97; AFS 10-2000, f. 3-31-00, cert. ef. 4-1-00; SSP 29-2003(Temp), f. 10-31-03, cert. ef. 11-1-03 thru 3-31-04; SSP 6-2004, f. & cert. ef. 4-1-04; SSP 14-2006, f. 9-29-06, cert. ef. 10-1-06

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DIVISION 145 TREATMENT OF SPECIFIC ASSETS

*Or. Admin. R. 461-145-0050 (2007)*

461-145-0050 Burial Space and Merchandise

(1) Burial spaces include conventional grave sites, crypts, mausoleums, urns, and other repositories that are traditionally used for the remains of deceased persons. Burial spaces also include headstones and the opening and closing of the grave.

(a) In the ERDC, FS, MAA, MAF, OHP, REF, SAC, and TANF programs, the equity value (see *OAR 461-001-0000*) of one burial space is excluded as a resource for each member of the financial group (see *OAR 461-110-0530*).

(b) In the GA, GAM, OSIP, OSIPM, and QMB programs, the equity value of a burial space is excluded as a resource if owned by the client and designated for the client, the spouse of the client, minor and adult children, siblings, parents, and the spouse of any of these people.

(2) Burial merchandise includes, but is not limited to, caskets, liners, burial vaults, markers, and foundations. The equity value of burial merchandise is excluded as a resource if owned by the client and designated for:

(a) In the ERDC, FS, MAA, MAF, OHP, REF, SAC, and TANF programs, a member of the financial group.

(b) In the GA, GAM, OSIP, OSIPM, and QMB programs, the client, the spouse of the client, minor and adult children, siblings, parents, and the spouse of any of these people.

Statutory Authority: *ORS 411.060, 411.816, 418.100*

Statutes Implemented: *ORS 411.060, 411.816, 418.100*

History: AFS 80-1989, f. 12-21-89, cert. ef. 2-1-90; AFS 20-1990, f. 8-17-90, cert. ef. 9-1-90; AFS 13-1991, f. & cert. ef. 7-1-91; AFS 21-1995, f. 9-20-95, cert. ef. 10-1-95; AFS 42-1996, f. 12-31-96, cert. ef. 1-1-97; SSP 29-2003(Temp), f. 10-31-03, cert. ef. 11-1-03 thru 3-31-04; SSP 6-2004, f. & cert. ef. 4-1-04; SSP 4-2007, f. 3-30-07, cert. ef. 4-1-07

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*Or. Admin. R. 461-145-0185 (2007)*

461-145-0185 Floating Homes and Houseboats

- (1) Floating homes and houseboats are treated in the same manner as real property under *OAR 461-145-0420*.
- (2) Floating homes and houseboats are subject to *OAR 461-145-0220* and *461-145-0250* if applicable.

Statutory Authority: *ORS 411.060, 411.816, 418.100*  
Statutes Implemented: *ORS 411.060, 411.816, 418.100*

History: SSP 15-2006, f. 12-29-06, cert. ef. 1-1-07

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*Or. Admin. R. 461-145-0220 (2007)*

461-145-0220 Home

(1) Home defined: A home is the place where the filing group lives. A home may be a house, boat, trailer, mobile home, or other habitation. A home also includes the following:

(a) Land on which the home is built and contiguous property.

(A) In all programs except FS, GA, GAM, OSIP, OSIPM, and QMB, property must meet all the following criteria to be considered contiguous property:

(i) It must not be separated from the land on which the home is built by land owned by people outside the financial group.

(ii) It must not be separated by a public right-of-way, such as a road.

(iii) It must be property that cannot be sold separately from the home.

(B) In the FS, GA, GAM, OSIP, OSIPM, and QMB programs, contiguous property is property not separated from the land on which the home is built by land owned by people outside the financial group.

(b) Other dwellings on the land surrounding the home that cannot be sold separately from the home.

(2) Exclusion of home and other property:

(a) For a client who has an initial month (see *ORAR 461-001-0000*) of long-term care or waived services on or after January 1, 2006:

(A) For purposes of this subsection:

(i) The definition of "child" in *ORAR 461-001-0000* does not apply.

(ii) "Child" means a biological or adoptive child who is:

(I) Under age 21; or

(II) Any age and meets the Social Security Administration criteria for blindness or disability.

(B) The value of a home is excluded if the client or the spouse of the client occupies the home and the equity in the home is \$ 500,000 or less.

(C) The home is countable as a resource if the client has equity in the home of more than \$ 500,000, unless one of the following requirements is met:

(i) The spouse of the client occupies the home.

(ii) The child of the client occupies the home.

(iii) The client is legally unable to convert the equity value in the home to cash.

(iv) The home equity is excluded under *OAR 461-145-0250*.

(b) For all other filing groups, the value of a home is excluded when the home is occupied by any member of the filing group.

(c) In the Food Stamp program only, the value of land is excluded while the group is building or planning to build their home on it, except that if the group owns (or is buying) the home they live in and has separate land they intend to build on, only the home in which they live is excluded, and the land they intend to build on is treated as real property in accordance with *OAR 461-145-0420*.

(3) Exclusion during temporary absence: If the value of a home is excluded under section (2) of this rule, the value of this home remains excluded in each of the following situations:

(a) In all programs except the GA, GAM, OSIP, OSIPM, and QMB programs, during the temporary absence of all members of the filing group from the property, if the absence is due to illness or uninhabitability (from casualty or natural disaster), and the filing group intends to return home.

(b) In the Food Stamp program, when the financial group is absent because of employment or training for future employment.

(c) In the GA, GAM, OSIP, OSIPM, and QMB programs, when the client is absent to receive care in a medical institution, if one of the following is true:

(A) The absent client is a single adult who has provided evidence that he or she will return to the home. The evidence must reflect the subjective intent of the client, regardless of the client's medical condition. A written statement from a competent client is sufficient to prove the intent.

(B) The home remains occupied by the client's spouse, child, or a relative dependent on the client for support. The child must be less than 21 years of age or, if over the age of 21, blind or an individual with a disability as defined by SSA criteria.

(d) In the MAA, MAF, REF, REF, SAC, and TANF programs, when all members of the filing group are absent because:

(A) The members are employed in seasonal employment and intend to return to the home when the employment ends; or

(B) The members are searching for employment, and the search requires the members to relocate away from their home. If all members of the filing group are absent for this reason, the home may be excluded for up to six months from the date the last member of the filing group leaves the home to search for employment. After the six months, if a member of the filing group does not return, the home is no longer excluded.

Statutory Authority: *ORS 411.060, 411.816, 418.100*

Statutes Implemented: *ORS 411.060, 411.816, 418.100*

History: AFS 80-1989, f. 12-21-89, cert. ef. 2-1-90; AFS 30-1990, f. 12-31-90, cert. ef. 1-1-91; AFS 13-1991, f. & cert. ef. 7-1-91; AFS 2-1992, f. 1-30-92, cert. ef. 2-1-92; AFS 19-1993, f. & cert. ef. 10-1-93; AFS 5-2002, f. & cert. ef. 4-1-02; SSP 10-2006, f. 6-30-06, cert. ef. 7-1-06; SSP 15-2006, f. 12-29-06, cert. ef. 1-1-07

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DIVISION 145 TREATMENT OF SPECIFIC ASSETS

*Or. Admin. R. 461-145-0343 (2007)*

461-145-0343 Manufactured and Mobile Homes

- (1) Manufactured and mobile homes are treated in the same manner as real property under *OAR 461-145-0420*.
- (2) Manufactured and mobile homes are subject to *OAR 461-145-0220* and *OAR 461-145-0250* if applicable.

Statutory Authority: *ORS 411.060, 411.816, 418.100*  
Statutes Implemented: *ORS 411.060, 411.816, 418.100*

History: SSP 15-2006, f. 12-29-06, cert. ef. 1-1-07

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*Or. Admin. R. 461-145-0360 (2007)*

461-145-0360 Motor Vehicle

(1) The value of disability-related apparatus, optional equipment, or low mileage is not considered in determining the fair market value (defined in *OAR 461-001-0000*) of an automobile, truck, or van. The fair market value of an automobile, truck, or van is presumed to be the "average trade-in value" established in the National Automobile Dealers Association's (NADA) Used Car Guide. If the vehicle is not listed in the NADA Used Car Guide, the "average trade-in value" established in the Kelley Blue Book is used. If the vehicle is not listed in the NADA Used Car Guide and Kelley Blue Book, the "average trade-in value" established in a similar publication is used. A client may rebut the presumption with a statement from a car dealer, mechanic, or other reliable source. If the vehicle is not listed in the NADA Used Car Guide, Kelley Blue Book, and a similar publication, the estimate of the value by the client may be accepted unless it appears questionable, in which case additional evidence of the value is required.

(2) Some programs permit an exclusion for a portion of the equity value (defined in *OAR 461-001-0000*) for any licensed and unlicensed motor vehicles owned by the financial group:

- (a) In the FS, MAA, MAF, REF, SAC, and TANF programs, this exclusion is up to \$ 10,000.
  - (b) In the GA and GAM programs, this exclusion is up to \$ 4,500.
  - (c) Any remaining equity in that vehicle and the total equity value of all other vehicles is counted as a resource.
- (3) In the EA, ERDC, and OHP programs, all motor vehicles are excluded.

(4) For grandfathered financial groups in the OSIP and OSIPM programs, one motor vehicle in operating condition is excluded, and the equity value of any other motor vehicles is counted as a resource.

(5) In the OSIP, OSIPM, and QMB programs:

(a) The total value of a vehicle selected by the financial group is excluded if it is used for employment or necessary and continuing medical treatment. If it is not, the first \$ 4,500 of the fair market value is excluded. The amount above \$ 4,500 is counted as a resource.

(b) The total equity value of all other vehicles is counted as a resource.

(6) In the OSIP-EPD and OSIPM-EPD programs, if a vehicle was purchased as an employment and independence expense (defined in *OAR 461-110-0115*) or with moneys from an approved account (defined in *461-110-0115*), the total value of the vehicle is excluded.

Statutory Authority: *ORS 411.060 & 418.100*

Statutes Implemented: *ORS 411.060, 411.117 & 418.100*

History: AFS 80-1989, f. 12-21-89, cert. ef. 2-1-90; AFS 2-1994, f. & cert. ef. 2-1-94; AFS 10-1995, f. 3-30-95, cert. ef. 4-1-95; AFS 27-1996, f. 6-27-96, cert. ef. 7-1-96; AFS 42-1996, f. 12-31-96, cert. ef. 1-1-97; AFS 3-1997, f. 3-31-97, cert. ef. 4-1-97; AFS 19-1997, f. & cert. ef. 10-1-97; AFS 25-1998, f. 12-28-98, cert. ef. 1-1-99; AFS 1-1999(Temp), f.

& cert. ef. 2-1-99 thru 7-31-99; AFS 7-1999, f. 4-27-99, cert. ef. 5-1-99; AFS 9-1999, f. & cert. ef. 7-1-99; SSP 29-2003(Temp), f. 10-31-03, cert. ef. 11-1-03 thru 3-31-04; SSP 6-2004, f. & cert. ef. 4-1-04; SSP 17-2004, f. & cert. ef. 7-1-04; SSP 14-2006, f. 9-29-06, cert. ef. 10-1-06

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*Or. Admin. R. 461-145-0380 (2007)*

461-145-0380 Pension and Retirement Plans

(1) Pension and retirement plans include the following:

(a) Benefits employees receive only when they retire. These benefits can be disbursed in lump-sum or monthly payments.

(b) Benefits that employees are allowed to withdraw when they leave a job before retirement.

(c) Annuities or trusts if purchased by a client with funds from any of the following retirement plans (authorized by *section 408 of the Internal Revenue Code of 1986* at subsections (a), (b), (c), (k), (p) or (q), or at section 408A):

(A) Individual Retirement Annuity.

(B) Individual Retirement Account.

(C) Deemed Individual Retirement Account or Annuity under a qualified employer plan.

(D) Accounts established by employers and certain associations of employees.

(E) Simplified Employee Pension (SEP).

(F) Simple Retirement Account.

(2) Benefits the client receives from retirement funds are treated as follows:

(a) Monthly payments are counted as unearned income.

(b) All other payments are counted as periodic or lump-sum income (see *OAR 461-140-0110* and *461-140-0120*).

(3) Pension and retirement plans that allow clients to withdraw funds before retirement are treated as follows:

(a) In all programs except FS and OHP, the equity value (defined at *OAR 461-001-0000*) of the plan, minus any penalty for early withdrawal, is counted as a resource.

(b) In the Food Stamp program, any portion of an individual retirement account (IRA), or a KEOGH plan that is available before, upon, or following retirement, is counted as an available resource, less a penalty for early withdrawal. The value of any other plan is excluded as a resource.

(c) In the OHP program, the equity value of the plan is excluded as a resource.

Statutory Authority: *ORS 411.060, 411.816, 418.100*

Statutes Implemented: *ORS 411.060, 411.816, 418.100*

History: AFS 80-1989, f. 12-21-89, cert. ef. 2-1-90; AFS 13-1991, f. & cert. ef. 7-1-91; AFS 21-1995, f. 9-20-95, cert. ef. 10-1-95; SSP 4-2005, f. & cert. ef. 4-1-05; SSP 14-2006, f. 9-29-06, cert. ef. 10-1-06; SSP 4-2007, f. 3-30-07, cert. ef. 4-1-07



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*Or. Admin. R. 461-145-0420 (2007)*

461-145-0420 Real Property

(1) For purposes of this rule, manufactured and mobile homes and floating homes and houseboats are treated in the same manner as real property.

(2) The applicant has the burden of proof of establishing the fair market value (see *OAR 461-001-0000*) of real property (see *OAR 461-001-0000*). Fair market value may be established by any methodology determined to accurately reflect the fair market value of the real property, including the provision of an appraisal or comparative market analysis performed by an impartial individual who is certified or licensed in the applicable jurisdiction.

(3) Real property that is not income-producing or the home of the financial group (see *OAR 461-110-0530*) is treated as follows:

(a) In the MAA, MAF, REF, REFM, SAC, and TANF programs, the equity value (see *OAR 461-001-0000*) of all real property that is not excluded under a TANF Interim Assistance agreement is counted as a resource.

(b) In the EA, ERDC, and OHP programs, real property is excluded.

(c) In the FS program, real property is treated as follows:

(A) The equity value of real property is excluded if the financial group is making a good-faith effort to sell the real property at a fair market price.

(B) The equity value of the real property is counted as a resource if the financial group refuses to make a good-faith effort to sell.

(C) The resource is excluded if selling the resource would produce a net gain to the financial group of less than \$ 1,500.

(d) In the GA, GAM, OSIP, OSIPM, and QMB programs:

(A) The equity value of real property that was the home of the financial group is excluded if the financial group is making a good-faith effort to sell the real property at a reasonable price, unless the equity value in the home makes the client ineligible under *OAR 461-145-0220(2)(a)*.

(B) The equity value of all other real property is excluded if the financial group is making a good-faith effort to sell the real property at a reasonable price. The equity value is counted after the real property is excluded for nine months unless the failure to sell it is for reasons beyond the reasonable control of the financial group.

(4) The treatment of real property that is income producing is covered in *OAR 461-145-0250*.

(5) The treatment of the home of the financial group is covered in *OAR 461-145-0220*.

Statutory Authority: *ORS 411.060, 411.816 & 418.100*

Statutes Implemented: *ORS 411.060, 411.816 & 418.100*

## Or. Admin. R. 461-145-0420

History: AFS 80-1989, f. 12-21-89, cert. ef. 2-1-90; AFS 30-1990, f. 12-31-90, cert. ef. 1-1-91; AFS 13-1991, f. & cert. ef. 7-1-91; AFS 2-1994, f. & cert. ef. 2-1-94; AFS 42-1996, f. 12-31-96, cert. ef. 1-1-97; AFS 3-1997, f. 3-31-97, cert. ef. 4-1-97; AFS 9-1999, f. & cert. ef. 7-1-99; AFS 25-2000, f. 9-29-00, cert. ef. 10-1-00; AFS 34-2000, f. 12-22-00, cert. ef. 1-1-01; SSP 17-2004, f. & cert. ef. 7-1-04; SSP 11-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 9-30-06; SSP 14-2006, f. 9-29-06, cert. ef. 10-1-06; SSP 4-2007, f. 3-30-07, cert. ef. 4-1-07

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CHAPTER 461 DEPARTMENT OF HUMAN SERVICES, SELF-SUFFICIENCY PROGRAMS  
DIVISION 145 TREATMENT OF SPECIFIC ASSETS

*Or. Admin. R. 461-145-0430 (2007)*

461-145-0430 Real Property Excluded Under ADC Interim Assistance Agreement

For ADC-BAS, ADCM-BAS, REF, and REFM, treat real property where the equity value puts the financial group over the ADC resource limit as follows:

(1) Exclude real property for a maximum of nine months if the financial group signs and complies with the terms of the ADC Interim Assistance Agreement. After the ninth month, count the equity value of the property as a resource.

(2) To comply with the terms of the ADC Interim Assistance Agreement, the financial group must agree to do all the following:

(a) Make a good-faith effort to sell the property; and

(b) Use the proceeds from the sale of the property to reimburse the Division for all benefits paid under the terms of the ADC Interim Assistance Agreement. The reimbursement will not exceed the net proceeds of the sale of the property.

(3) The amount of benefits paid while the financial group has excess real property is an overpayment if the financial group fails to notify the Division that they have the property.

(4) The amount of benefits paid while the financial group has excess real property up to the net proceeds of the sale of the property is an overpayment if the property sells and the financial group does not repay the Division per the terms of the ADC Interim Assistance Agreement.

Statutory Authority: ORS 183, ORS 411, ORS 414, ORS 416 & ORS 418  
Statutes Implemented: *ORS 411.700 & ORS 411.816*

History: AFS 80-1989, f. 12-21-89, cert. ef. 2-1-90; AFS 12-1990, f. 3-30-90, cert. ef. 4-1-90

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CHAPTER 461 DEPARTMENT OF HUMAN SERVICES, SELF-SUFFICIENCY PROGRAMS  
DIVISION 145 TREATMENT OF SPECIFIC ASSETS

*Or. Admin. R. 461-145-0520 (2007)*

461-145-0520 Stocks, Bonds and Other Securities

(1) Except as provided in section (2) of this rule, securities, including stocks, bonds, and certificates of deposit (CDs), are counted as a resource.

(2) The value of a savings bond issued by the United States Department of the Treasury is excluded during the minimum retention period if the owner has received a denial of a request for a hardship waiver based on financial need.

(3) A request for a hardship waiver may be made to the United States Department of the Treasury, Bureau of Public Debt, Accrual Services Division, PO Box 1328, Parkersburg, West Virginia 26106-1328.

Statutory Authority: *ORS 411.060, 411.816 & 418.100*

Statutes Implemented: *ORS 411.060, 411.816 & 418.100*

History: AFS 80-1989, f. 12-21-89, cert. ef. 2-1-90; SSP 4-2005, f. & cert. ef. 4-1-05