P-2211 Resource Determination (Continued)

A. Real Property (WAM 2262)

If the applicant is a Group 2 or 3 member, determine if the real property can be excluded according to WAM 2264 #15. If not, or for a Group 1 member.

1. Determine if the applicant owns real property not used as a home.

2. Determine if the applicant is making a good faith effort to sell the property.

   NOTE: Judge a good faith effort by such factors as:

   a. Whether the property is listed for sale with a real estate agent or advertised for sale in the newspaper or other appropriate medium for a reasonable period of time.

   b. Whether the sale price is reasonable based on an appraisal of the fair market value or its value as listed for property tax purposes.

   If the answer to both of these questions is yes, have the applicant read and sign a DSW 108P (Property Sale Reimbursement Agreement) and go to step 3.

   File documentation of the effort to sell in the case record.

   If the answer is no, count the equity value as a resource.

3. Explain to the applicant that, if the property does not sell within the 6 month period (9 months if an extension is granted), the equity value must be counted as a resource and any ANFC paid is overpayment which must be repaid.

4. Remind the applicant of their obligation to repay all ANFC received from the proceeds of the sale.

5. Also explain that if the family becomes ineligible for ANFC for any other reason(s) during the exemption period, all ANFC payments made will be considered to be overpayments which must be repaid.

6. If the property does not sell within the 6 months period, and you decide that the client continues a good faith effort to sell, allow an additional three-month exclusion of the property as a resource with approval of the District Director.

P-2211 Resource Determination (Continued)

B. Real Property (WAM 2262)

Example: A family owns 3 acres of property on which they are not living but use for a wood lot. It is not income-producing. It is valued at $5,000 for tax purposes at the county clerk's office. There are no debts owed on the property and no mortgage. They have no other resources, but this clearly puts them over the resource limit of $1,000. You ask them to sign a DSW 108P and explain that they have 6 months to sell it.

The family puts the property up for sale with a price of $5,000. They advertise in the local newspaper and in the meantime they will receive ANFC.

After 4months the property sells at $4,500. After expenses the net proceeds to the recipient are $4,000. Total ANFC payments during those 4 months totaled $2,960. The recipient is required to repay this amount to the Department.

The $1,040 remaining is lump sum income if the property was acquired while the individual was on ANFC. If they owned the property before receiving ANFC, treat the $1,040 as a resource (WAM 2260 and 2261.2).