

	<b>GEORGIA DIVISION OF FAMILY AND CHILDREN SERVICES</b> <b>MEDICAID POLICY MANUAL</b>			
	<b>Chapter:</b>	<b>2300</b>	<b>Effective Date:</b>	<b>July 2022</b>
	<b>Policy Title:</b>	<b>Real Property: Non-Homeplace</b>		
	<b>Policy Number:</b>	<b>2329</b>	<b>Previous Policy Update:</b>	<b>MT 59</b>

## REQUIREMENTS

The equity value of the applicant/recipient's (A/R's) interest in non-homeplace real property is a countable resource for all ABD and Family Medicaid Classes of Assistance (COAs).

## BASIC CONSIDERATIONS

Non-homeplace real property includes the following:

- land
- lots
- trees on land
- buildings on non-homeplace property which would transfer to a buyer if/when the land or lot were sold
- houses and mobile homes, whether occupied or unoccupied

Equity value (fair market value less any indebtedness) is the countable value of non-homeplace property.

Indebtedness is the total amount of debt that remains to be paid, including principal, interest, and any liens and/or encumbrances.

Non-homeplace real property may be totally or partially excluded if it meets one of the following conditions:

- the property is jointly owned, and the sale of the property would cause undue hardship to a co-owner(s). Refer to [Section 2345](#), Undue Hardship Provision for ABD Medicaid.
- the A/R is making a bona-fide or good faith effort to sell the property. Refer to [Section 2304](#), Treatment of Resources
- the property is restricted allotted Indian land. Refer to [Section 2304](#), Treatment of Resources
- the property meets undue hardship provisions. Refer to [Section 2345](#), Undue Hardship Provision for ABD Medicaid
- the property is essential to self-support (this applies only to ABD COAs). Refer to [Section 2327](#), Property Essential to Self-Support
- the property is declared unmarketable by a competent authority
- the A/R owns a life estate interest in the property (ABD Non-FBR COAs only). Refer to [2322](#), Life Estate and Remainder Interests.

<b>BASIC CONSIDERATIONS (cont.)</b>
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**Sale of Non-Homeplace Real Property**

The proceeds from the sale of excluded non-homeplace real property are excluded during the month of sale. Any proceeds remaining the month following the sale are a countable resource.

**Bona-fide or Good Faith Effort to Sell**

A bona-fide or good faith effort to sell is defined as follows:

- actual sale attempt at a price not more than current market value
- listing with a realtor
- OR
- appropriate advertising such as in newspapers, radio, etc.
- acceptance of any reasonable offer.

**NOTE:** Refer to [Section 2304](#), Treatment of Income for ABD Medicaid. See 2304-2 Bona Fide Effort to Sale

**Income Producing Property: ABD Medicaid**

Refer to [Section 2327](#), Property Essential to Self-Support.

**Income Producing Property: Family Medicaid**

Income producing property is considered a countable resource when determining eligibility for Family Medicaid COAs.

Income producing property is defined as follows:

- property which produces income, even if used only on a seasonal basis
- property essential to the employment or self-employment of a household member (rental homes, farmland, etc.)
- rental property which is used for vacation purposes at some time during the year and which produces income
- installment contracts for the sale of land or buildings if the contract or agreement produces income.

Refer to [Section 2410](#), Rental Income.

<b>PROCEDURES</b>
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Verify ownership interest and Current Market Value (CMV) of non-homeplace real property using one of the following documents:

- property search ([Form 991](#))
- legal documents indicating value of the property.

Determine the equity value of the property.

If the A/R rebuts the CMV indicated in the Tax Digest, the A/R may obtain written appraisals or estimates from two reliable sources, such as realtors or appraisers, as to the accurate CMV. Average the two appraisals or estimates to determine CMV.