

363.150: Transfer of Assets

The transfer of asset rules do not apply to categorically eligible households as defined in 106 CMR 365.180.

The transfer of asset rules will be applied to any household which contains a member disqualified from receiving SNAP benefits. Non-SSI elder and/or disabled households with income above the Categorical Eligibility Gross Income standards at 106 CMR 364.976 will also be subject to transfer of asset rules.

(A) Transfers Resulting in Disqualification

At the time of application, households shall be asked to provide information regarding any assets that a household member has transferred within the three-month period before the date of application. Households that have transferred assets knowingly for the purpose of qualifying for, attempting to qualify for, or to remain eligible for SNAP benefits shall be disqualified from participation in the Program for up to one year from the date of the discovery of the transfer. When action is taken to disqualify a certified household, an advance notice of adverse action and the right to continued benefits pending a hearing decision shall be provided to the household. The notice shall also include the reasons for and length of the disqualification.

(B) Transfers Not Resulting In Disqualification

Eligibility for SNAP shall not be affected by a transfer of assets in the following cases:

- (1) the asset would not otherwise affect eligibility because the total countable household assets was less than the allowable limits at the time of the transfer;
- (2) the assets are sold or traded at or near fair market value;
- (3) the assets are transferred between members of the same household; and
- (4) the assets are transferred for reasons other than qualifying or attempting to qualify for SNAP benefits, for example, a parent placing funds in an educational trust fund.