

PROPERTY OWNERSHIP & CASH ASSISTANCE FREQUENTLY ASKED QUESTIONS

Question (Q): Why do I have an appointment to see a BEV Real Property Representative?

Answer (A): Agency records indicate you are a property owner.

Q. I do not own a house or an apartment. Do I still need to meet with a BEV Real Property Representative?

A. Yes. You need to discuss the specific details of your case with the Bureau of Eligibility Verification (BEV) Real Property representative, to resolve information that has come to our attention.

Q. Why am I being asked to sign a mortgage/lien?

A. New York State Social Services Law, Sections 106 and 360, gives the Human Resources Administration/Department of Social Services (HRA/DSS) the authority to place a mortgage/lien on your house, condominium or co-op as a condition of granting you assistance. If you own a mobile home or houseboat, the HRA/DSS also has the authority to place a mortgage/lien against it. If you do not comply or give consent, you will be ineligible for Cash Assistance.

Q. What is the amount of the mortgage/lien DSS will place on my property?

A. DSS will place a \$50,000 mortgage/lien on your property. However, this figure is just a “place holder”/preliminary amount. At the time of sale, refinance or transfer, the exact mortgage/lien amount owed will be calculated and provided to you or your representative. This mortgage/lien amount will be based on the total amount of Cash Assistance you and your household received.

Q. What happens when HRA/DSS places a mortgage/lien on my property?

A. The terms of the mortgage/lien will require you to repay HRA/DSS the Cash Assistance monies received whenever any of the following events occur:

- You sell or transfer ownership of your property.
- You refinance or apply for a second mortgage.
- You decide to payoff the mortgage/lien to have it removed.

Q. Are the benefits received under Medicaid and Food Stamps covered by this mortgage/lien?

A. The mortgage/lien covers only Cash Assistance and does not apply to Medicaid or Food Stamps.

Q. What if I own a co-op?

A. If you own a co-op, then HRA/DSS will file a UCC-1 lien instead of a mortgage/lien on your co-op. The BEV Real Property representative will speak to you about this process.

Q. What do I need to do at this time?

A. Please submit the original or copy of your Deed or Stock Certificate or Proprietary Lease to the BEV Real Property representative who will make a copy for your file. The representative will also have you sign the mortgage/lien documents and Notice of Compliance.

Q. What if I am not accepted or if I withdraw my application for Cash Assistance?

A. The mortgage/lien is filed only if cash benefits are issued and redeemed. You may contact BEV's Real Property division at 718-254-0400 to notify them that you have withdrawn your application or that the case was not accepted.

Q. What happens when both husband and wife own the property AND apply for Cash Assistance?

A. Both husband and wife must sign the mortgage/lien document in order to receive Cash Assistance.

Q. What happens if I own property with someone else?

A. Inform the worker at your Job Center. NYS Law allows HRA/DSS to place a mortgage/lien on your ownership interest in the property as a condition of granting you Cash Assistance.

Q. What should I do if HRA/DSS already has a mortgage/lien on my property?

A. Inform the worker at your Job Center. If the other mortgage/lien is for a different property then a mortgage/lien is still required on this property. You will need to discuss the status of the original mortgage/lien with the BEV Real Property representative.

Q. What happens if I have rented out part of my property?

A. Inform the worker at your Job Center. The details of your situation will be reviewed and all of the above may apply. Note however, that the rental income will have an effect on your cash assistance eligibility.

Q. What happens if my deceased spouse's name is still on the deed?

A. You should discuss this situation with the BEV Real Property Representative.