

DEPARTMENT OF HUMAN RESOURCES FAMILY INVESTMENT ADMINISTRATION	TEMPORARY CASH ASSISTANCE MANUAL	
ASSETS 901	COMAR 07.03.03.12 07.03.03.15	FINANCIAL ELIGIBILITY - 900

901.1 ASSET LIMIT

- TCA does not consider assets/resources when determining eligibility for TCA.
- Assets and resources of the sponsor of a sponsored immigrant must be counted under federal requirements.
 - The asset /resource limit for sponsored immigrants is \$2000.

901.2 ASSETS OF SPONSORS (POLICY EFFECTIVE DECEMBER 19, 1997)

- A. Deem all assets belonging to the sponsor and the sponsor's spouse (if they reside together) for the legal immigrant entering the United States on or after December 19, 1997
- B. 100 percent of the countable assets belonging to the sponsor and to the sponsor's spouse (if they reside together) must be deemed until:
 1. The immigrant becomes a United States citizen
 2. The sponsor or the legal immigrant dies, or
 3. The immigrant has 40 quarters of verifiable earnings
- C. Deeming all sponsor assets and incomes makes most sponsored immigrants ineligible
- D. Deeming of assets does not apply to and is not counted for:
 1. Refugees and asylees exempt from deeming provisions
 2. Legal permanent residents (LPRs) who have been credited with 40 qualifying quarters
 3. Battered spouses and children
 - a. **Are exempt** from deeming provisions **for one year** if they have been battered or subjected to extreme cruelty in the United States by a spouse, parent, or other family member residing in the household who is the sponsor
 - b. The battery or cruelty must have a substantial connection to the need for the public benefits.

DEPARTMENT OF HUMAN RESOURCES FAMILY INVESTMENT ADMINISTRATION	TEMPORARY CASH ASSISTANCE MANUAL	
ASSETS 901	COMAR 07.03.03.12 07.03.03.15	FINANCIAL ELIGIBILITY - 900

- c. The spouse or child subjected to cruelty must not be living with the person who committed the abusive acts.
 - d. The battered spouse exception may extend beyond the initial one-year period, if the BCIS, a judge, or an administrative law judge formally recognizes that the battery or extreme cruelty occurred.
4. The indigent
- a. **Exempt** from deeming provisions if they have been abandoned by their sponsor or if the sponsor's contribution is so inadequate that the immigrant would be unable to obtain food and shelter
 - b. The exemption lasts for one year after the determination of indigence has been made
 - c. To make this determination, take into account the non-citizen's own income, plus any cash, food, housing, or other assistance provided by other individuals, including the sponsor. The amount that is deemed from the sponsor is the actual amount provided for a period beginning on the date of the determination and ending 12 months from this date.
 - d. "Is unable to obtain food and shelter" means that the total amount of the eligible sponsored immigrant's household's own income, and the cash contributions and value of in-kind assistance provided by the sponsor and others does not exceed the gross income test for the household's size.