

# Home Sweet Home?

---

ELISA DILLARD RAINEY, RAINEY & RAINEY, ATTORNEYS AT LAW LP - WACO, TX

NANCY SOSA, CADENCE BANK - AUSTIN, TX

MATERIALS: KRISTEN QUINNEY PORTER,  
KRISTEN QUINNEY PORTER, LLC – NEW BRAUNFELS, TX

1

## Ownership of a House for a Trust Beneficiary

---

- Impact of a Home and Related Expenses on Benefits
- Considerations Before Purchasing a Home
- Considerations in the Selection of a Home
- Formalities of the Purchase

2

# Impact of a Home and Related Expenses on Benefits

---

3

## Distributions From a Trust

---

General rules related to distributions:

- Money paid directly to beneficiary reduces SSI benefit.
- Money paid directly to someone to provide beneficiary with food or shelter reduces SSI benefit up to PMV (\$281 in 2020)
- Money paid directly to someone to provide beneficiary with items other than food and shelter does not reduce SSI benefits.

4

## In-kind Support and Maintenance (ISM)

---

10 items that are ISM:

- Food
- Mortgage
- Real property taxes
- Rent
- Heating fuel
- Gas
- Electricity
- Water
- Sewer
- Garbage removal

(POMS SI 00835.465.D.)

## In-kind Support and Maintenance (ISM)

---

In-kind support and maintenance (ISM): Unearned income in form of food, shelter, or both.

Two methods to determine value of ISM:

- Value of the One-Third Reduction (VTR) rule (\$261 in 2020)
- Presumed Maximum Value (PMV) rule (\$281 in 2020)

POMS SI 00835.001.A

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](http://utcle.org/elibrary)

Title search: Home Sweet Home?

Also available as part of the eCourse

[Special Issues in Special Needs Trusts: IRAs, Powers of Appointment, Home Ownership and more](#)

First appeared as part of the conference materials for the  
16<sup>th</sup> Annual Changes and Trends Affecting Special Needs Trusts session  
"Home Sweet Home?"