

Mr. T.: I'm satisfied with the presentation now of the hearing summary with the exception of those things I've objected to and would like at this time to ask for a 5 or 10 minute recess before we take an issue as we see it.

Referee: Alright

RECESS

I wonder Mrs. Evinger, if you would clarify a little bit about the property that is considered as reserve. As I understand there is a total of 120 acres of land that Mr. O'Field owns, is that correct?

Mrs. E.: Yes sir.

Referee: Is all of this land joining?

Mrs. E.: Yes

Referee: And I believe you stated the county department considered 82 acres as excess or an excess resource is that correct?

Mrs. E.: Yes.

Referee: According to my figures, the home plot that is used in connection with the home which consists of 38 acres, is that correct?

Mrs. E.: No, we have 40 acres with his home place and 82 acres extra so he has a total 122 acres.

Referee: Alright. So 40 acres is considered as a home part.

Mrs. E.: Yes.

Referee: I wonder too, if you would read into the record the department's policy that to the maximum reserve a family of his size who is receiving Aid to Families Dependent Children Assistance and Aid to the Aged Assistance.

Mrs. E.: This is from the Manual Section 351.41 the date is 7-17-67? Maximum Reserve Maximum reserve is a term used to designate the largest equity a recipient can hold and in addition to his home and still be considered to be in need. A recipient's reserve may be held in any form or combination of forms. The maximum amount is \$600. When a client holds resources, the total of which exceeds the reserve, the client is not considered to be in need and that part of the resources in excess of the reserve he is eligible to hold will be considered available for maintenance until the total is within the reserve. If part of the resources are negotiable, the negotiable resources would be considered available for maintenance until the total is within the reserve or until the negotiable resources are reduced to one-half of the reserve which the client could normally hold.

Referee: Now at the time Mr. O'Field was last certified for assistance and received assistance in both categories continuously up until the time the assistance cases were terminated effective August 1 as we have learned yesterday, had in the beginning and prior to certification had Mr. O'Field signed the department's form ABCD-54 statement of Intention Regarding Restricted Indian Property?

Mrs. E.: Yes.

Referee: I would like to request those two forms be made a part of the record,