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Subject: RHIP Listserv #284 - VA Aid & Attendance
To: MFH-RHIP-TIPS-L@hudlist.hud.gov
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RHIP Listserv Posting #284

October 29, 2012

Welcome to the MULTIFAMILY HOUSING RENTAL HOUSING INTEGRITY IMPROVEMENT PROJECT (RHIP) LISTSERV that brings you up-to-date RHIP related publications, news, information and occupancy tips in an effort to help reduce errors in rent determinations and subsidy calculations.

VA Aid & Attendance

We have received several requests to clarify how VA Aid & Attendance payments are to be treated with respect to annual income and the regulation for medical expense exclusion (24 CFR 5.609(c)(4)). According to the U.S. Department of Veterans Affairs, Aid and Attendance (A&A) is an enhanced or special monthly pension benefit paid in addition to basic pension. An individual cannot be eligible for receiving A&A without first establishing eligibility for a basic VA pension. Below are the four instances the VA indicates a veteran may be eligible for A&A.

1. The Veteran requires the aid of another person in order to perform his or her activities of daily living, such as bathing, feeding, dressing, attending to the wants of nature, adjusting prosthetic devices, or protecting himself/herself from the hazards of his/her daily environment, **OR**,
2. The Veteran is bedridden, in that his/her disability or disabilities requires that he/she remain in bed apart from any prescribed course of convalescence or treatment, **OR**,
3. The Veteran is a patient in a nursing home due to mental or physical incapacity, **OR**,
4. The Veteran has corrected visual acuity of 5/200 or less, in both eyes, or concentric contraction of the visual field to 5 degrees or less.

There is no statutory or regulatory exclusion for the A&A benefit. Because of this, the benefit must be included as income.

Owners are reminded pursuant to 24 CFR 5.609(c)(4), any money received by the family that is specifically for, or in reimbursement of, the cost of medical expenses for any family member is excluded from annual

income. Because of this, the owner must verify any amount provided for A&A which is used for medical expenses and exclude the verified amount. Any portion of the benefit not being used for medical expenses must be included as income.

You can view the RHIP Tips Archives, under "Listserv-Multifamily RHIP Tips" at <http://www.hud.gov/offices/hsg/mfh/rhiip/mfhrhiip.cfm>

Please encourage others to sign-up for the Listserv, so they too can receive current RHIP related information from HUD <http://www.hud.gov/subscribe/maillinglist.cfm>

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