



James E. De Martino, Attorney
P.O. Box 126 Belvidere, NJ 07823

908-874-5636
(fax) 570-897-6452

New Jersey Elder Lawyer

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HOW SINGLE PEOPLE CAN PROTECT THEIR HOME

NJ Long Term Care Planning

In a previous article, we mentioned how married people can protect their principal residence from being eroded by the costs of long term care. In short, the partner facing long-term care can convey the marital premises to the at-home healthy spouse within the statutory time frame.

Single homeowners pose a different situation as there are no at-home healthy spouses to transfer the house to. Consequently, single people can rely on the following devices:

- Transfer to a minor, blind, or disabled child.
- Transfer to a sibling who has an equity interest in the home and who has resided there for at least one year before the Medicaid applicant became institutionalized.
- Transfer to an adult child who has resided in the home for the past two years, if the child provided care which permitted the loved one to stay at home, rather than in an institution or facility.

No such transfer, however, should be undertaken without the advice of an attorney who is schooled in the area of Medicaid planning.

Unless all options are explored, transfers to any of the above-named individuals may have certain tax consequences. Alternatively, it may make those people ineligible for certain programs of public assistance.

James E. De Martino is licensed to practice in the State of New Jersey.

Our practice is limited to estate planning, long-term care planning, and NJ Medicaid asset protection.

Elder Law and NJ Estate Planning Strategies

P.O. Box 126 Belvidere, New Jersey , 07823

Phone: 908-874-5636

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