**Section 682.210 Transfer of Assets**

a) Any transfer or sale of non-exempt assets which occur within the time periods specified in this Section shall be used in determining the individual's assets for the purpose of Section 682.200.

b) Transfers involving a trust shall be considered as an asset unless the transfer occurred 60 months prior to the individual's application for services.

c) If an individual applying for services has transferred or sold non-exempt assets within the last 36 months prior to application for services, he/she must verify that he/she received fair market value for the assets. Fair market value is the worth on the open market of the asset, at the time it was transferred or sold. If less than fair market value was received, the difference between the amount received for the asset and the fair market value of the asset will be used in determining the individual's assets for the purpose of Section 682.200.

d) The transfer or selling of non-exempt assets at the time of application or while an individual's Home Services Program case file is open will result in the fair market value of the asset being used in determining the individual's assets for the purposes of Section 682.200.

(Source: Amended at 22 Ill. Reg. 2226, effective January 12, 1998)