\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2022

Social Security Administration

\*To include the appropriate address, please locate the appropriate field office by zip code at: <https://secure.ssa.gov/ICON/main.jsp>

**CERTIFIED MAIL \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**RETURN RECEIPT REQUESTED**

Re: JOHNNY DOE, SSN \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 ABLE Account and Removal of ISM Reduction

Dear Sir or Madam:

This letter is to inform you that I, Jane Doe, have opened an ABLE account for the benefit of my son, Johnny Doe, who receives SSI. It is my understanding that an ABLE account is a non-countable resource pursuant to SSA-POMS SI 01130.740. The basic information for this account is as follows:

* Name of Designated beneficiary: JOHNNY DOE
* State ABLE program administering account: TEXAS
* Name of person who has signature authority: JANE DOE
* Unique account number assigned by State to ABLE Account: xxxxxxxxxx
* Account open date: \_\_\_\_\_\_\_\_\_, 2022
* First-of-month account balance: $\_\_\_\_\_\_\_\_

Now that Johnny has an ABLE account, he will use those funds to help pay his fair share of household costs as specified in POMS SI 00835.465.D.1 (Household Costs – List of Applicable Items) so he can avoid a reduction in benefits for in-kind support and maintenance.

As you know, there are three people living in Johnny’s home. The monthly household expenses are as follows: (\*Be sure to remove items on this list that do not apply to the applicant.)

* Food (\*excluding the value of food purchased with SNAP benefits): $700.00
* Mortgage (\*including property insurance required by the mortgage holder): $1,700.00
* Real property taxes (\*less any tax rebate/credit): $\_\_\_\_\_\_\_\_\_\_\_
* Rent: $\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Heating fuel: $\_\_\_\_\_\_\_\_\_\_\_
* Electricity & Gas combined: $200.00
* Garbage Collection: $15.00
* Water & Sewer Combined: $85.00

Johnny’s fair share of these expenses is $900.00 per month, calculated from $2,700.00 total expenses per month divided by 3 people living in the home.

Johnny is now contributing $500 per month from his SSI payments towards his fair share of the household food and shelter items listed in POMS SI 00835.465.D.1. Johnny’s ABLE account is contributing $400.00 per month, which is the remaining balance of his monthly fair share obligation.

It is my understanding that Johnny should no longer have an ISM penalty because a “distribution from an ABLE account is not income but is a conversion of a resource from one form to another.” (See POMS [SI 01110.600B.4.](https://secure.ssa.gov/apps10/poms.nsf/lnx/0501110600#b4)) POMS SI 01130.740.C.4 specifically states, “Do not count distributions from an ABLE account as income of the designated beneficiary, regardless of whether the distributions are for a QDE not related to housing, for a housing expense, or for a non-qualified expense.”

If I can provide further information to you, please do not hesitate to contact me at \_\_\_\_\_\_\_\_\_\_\_.

Sincerely,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Jane Doe, Mother and Representative Payee

Enclosures

Copy of CU Members Mortgage statement – mortgage, insurance and property taxes

Copy of PEC Energy statement – electricity and natural gas

Copy of Best Waste, Inc. Services statement– garbage collection

Copy of Texas Country Water, Inc. statement – water and sewer