

CLIENT AND FRIEND NEWSLETTER

May 2024

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LAW OFFICES OF
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STATE LONG-TERM CARE INSURANCE BENEFIT FOR THOSE WHO LEAVE WASHINGTON

Beginning July 1, 2026, employees and self-employed persons who move outside of Washington may continue to participate in Washington's long-term care insurance program (and receive benefit from what they have paid in), provided they meet the following:
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FEWER REDUCTIONS TO SSI BEGINNING SEPTEMBER 30, 2024.



Social Security Income ("SSI") provides monthly payments to adults and children with a disability and have limited income and resources.

Monthly benefits help pay for basic needs like shelter, food, clothing, and medicine.

Historically, if a recipient received help from a third-party for food or shelter the individual's monthly SSI was reduced by one-third. Starting September 30, 2024, there will be reduction to the SSI only if 'rent paid' (by the SSI recipient) is less than Social Security's defined Presumed Market Value (\$334.33 in 2024).

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RIGHTING A WRONG: WHY RECORDING FEES INCREASED IN 2024. BY BETH A. MCDANIEL, JD, CELA



When our office was informed last autumn that fees for recording documents in our state like a deed, community property agreement, or durable powers of attorney would be increasing by \$100.00 per...

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CONT: FEWER REDUCTIONS TO SSI BEGINNING SEPTEMBER 30, 2024.

Thus, if the SSI recipient pays rent of at least \$334.33, it is ok for a third-party, like a parent or trust, to pay additional rent on behalf of the SSI recipient. Also starting September 30, 2024, SSI recipients will not have to annually report food assistance received from family or friends.

These changes will not only make reporting easier for SSI recipients or their representative payees, but they will also make it easier for the Social Security Administration to administer the SSI program.

CONT: STATE LONG-TERM CARE INSURANCE BENEFIT FOR THOSE WHO LEAVE WASHINGTON

1. They have been assessed premiums for at least three years and worked at least 500 hours in each of those years in Washington;
2. They notify Washington's employment security department within one year of relocating that they are no longer a resident of Washington and elect to continue to participate;
3. They report their wages or self-employed earnings to the employment security department according to 'standards for manner and timing of reporting and documentation submission . . .'

The Employment Security Department may cancel elective out-of-state coverage thirty days after providing written notice, if the out-of-state participant fails to make required payments or fails to submit the required reports.

Certainly, should Initiative 2124, which will be on the November ballot, pass, Washington employees or self-employed individuals will get to elect to have money deducted from their paycheck and will be able to 'opt-out' of the program at any time. If too many employees and self-employed individuals elect to opt out, the program itself may no longer be viable by the time this relocation change goes into effect.

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CONT: RIGHTING A WRONG: WHY RECORDING FEES INCREASED IN 2024.

document starting in January 2024, we alerted our clients to proceed towards finalizing necessary recordings before the increase went into effect.

From a recent installment of a local podcast, I learned that the purpose of the \$100.00 recording fee increase is to fund our state's newly established Covenants Homeownership Account ("Account"). This fund stems from the Covenants Homeownership Account Act, the first of its kind nationally, which was signed into law by Governor Inslee on May 8, 2023. The primary objective of this legislation is to provide qualified individuals with down payment and mortgage assistance to help reverse racial disparities in our state.

Racially discriminatory covenants were not part of my high school Washington State history class curriculum, as far as I can recall.

For example, a 1944 deed contained the following racist covenant in the chain of title for a client's Bellevue property: ". . . the premises shall be owned and occupied only by people of the Caucasian race . . . These restrictions shall run with the land. It is a condition that any breach of the foregoing restrictions shall render this deed null and void and said premises shall immediately revert to the grantors, their heirs or assigns."

The enactment of the Fair Housing Act of 1968 rendered such discriminatory covenants illegal. Progressively, 2021 legislation allocated state funds to authorized teams at the University of Washington and Eastern Washington University to review recorded covenants and provide information to property owners as to how to strike such recordings.

As to the 2024 recording fee increase,

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per a University of Washington website, the rationale behind the “just and relatively painless \$100 fee” is that “homeowners selling properties nowadays have benefitted from the wealth building opportunities that have been a byproduct of homeownership; opportunities denied to most families of color.” It is projected that the fee increase will generate \$100 million annually to help eligible individuals become homeowners, commencing July 1, 2024.

The following individuals are eligible for mortgage and down payment loans under the Act.

- 1) First time homeowners with incomes at or below 100% of the Area Median Income (AMI); and
- 2) Individuals who were a Washington resident before 1968 (the year the federal Fair Housing Act was signed into law).or a descendant of someone

who was. Per the statute, proof of an ancestor’s residency at a particular address or in a particular area or city, on or about a specific date, is established through such records as genealogical records, vital records, church records, military records, probate records, public records, census data, newspaper clippings, and other similar documents.

As stipulated by the Act, the interest-free loans are to be repaid upon the sale of the properties. Decisions about eligibility and rules about the loans will be made by the Washington State Housing Financial Commission (“Commission”). In compliance with the Act’s provisions, the Commission released a Washington State Covenant Homeownership Program Study, which is available on our website under the links.

Hopefully many Washington residents – or their descendants who

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were adversely impacted generationally by these historic, discriminatory covenants will benefit from this Act.

Disclaimer: this newsletter is informational only and should not be construed as legal advice.

If have questions or wish to make an appointment, please contact our client care coordinator, Margo Passeau, at (425) 296-3121 or margo@bethmcdaniel.com.
