

Roomer Lodger Agreements

At-A-Glance



The Supplemental Security Income (SSI) program has different monthly benefit rates for different living arrangements. In New York State, SSI payments are usually based on three rates. For 2012, those rates are:

- ◆ Living alone - \$785
- ◆ Living with others and paying fair share of household expenses - \$721
- ◆ Living in the household of another - \$ 488.34

A person is considered living alone when he or she has set expenses and is independent of anyone else. A person is living with others when they share expenses, such as food, utilities, rent or mortgage. There is an assumption that people living together share certain costs related to food and shelter.

If a person cannot pay the fair share of household expenses (one-half of expenses in a household of two, one-third of expenses in a household of three, etc.), they cannot be considered "living with others." (For example, if an SSI recipient's fair share in a parent's home would be \$1,000 per month, he or she could not possibly pay the appropriate share of expenses out of an SSI check. Unless the SSI recipient can establish a separate living unit, he or she would be considered "living in the household of another" and get paid at the \$488.34 SSI rate.)

An SSI recipient can obtain the living alone rate by working out a business relationship under a roomer-lodger agreement:

- ◆ A roomer/lodger agreement is based on the idea that the adult individual with a disability is paying a flat fee amount per month for shelter costs to the homeowner/lessee.*
- ◆ The homeowner/lessee does not have to be the parent, but could be another relative (other than spouse) or a friend.
- ◆ The amount paid is what the homeowner/lessee would charge anyone else for the room and lodging being provided. They do not "share" household costs. The roomer/lodger's name does not appear on any of the household bills (e.g., electric or gas).
- ◆ This type of living arrangement is only possible if the homeowner/lessee offers this arrangement to the individual. There may be financial circumstances when such an agreement may not be in the homeowner/lessee's financial best interest.

An SSI recipient can change living arrangements at any time. If an individual wishes to establish a roomer-lodger status, he or she should submit a statement from the homeowner/lessee to the Social Security Administration indicating how much the SSI recipient is charged as a flat fee per month for room and lodging. The SSI program should accept the agreement and adjust the individual's SSI benefit accordingly. The SSI recipient is then entitled to New York's "living alone" status. The monthly SSI payment would then be based on the \$785 living alone rate (minus any countable income).

* A lessee is the primary tenant who rents from the landlord.