



WALT SHURDEN LAW

September 2015

611 Druid Road East, Suite 712 • Clearwater, FL 33756

Florida Homestead: Did you know?

By Walt Shurden

Life's setbacks come from different directions. The loss of a job or a diagnosis of a long term illness can expose our vulnerability. Fortunately, our legislature has passed laws that help protect our home during rough times.

Let's look at an all too common scenario and the protection of one's home at death.

The Scenario.

Barry suffered a stroke at age 66. He is paralyzed. He has applied for Medicaid to help pay the \$8,300 monthly cost of the nursing home he requires. His ranch home of 15 years is worth \$160,000 with no mortgage. Barry has almost no money in his checking account because he uses all of his \$2,100 monthly social security and pension income each month. He owes credit cards and prior hospital bills.

Fortunately for Barry, Medicaid will pay most of his nursing home costs. His \$160,000 in home equity is ignored as an asset but since Medicaid will require that Barry pay his monthly income to his nursing home, there will be no money to maintain the home.

Protection of Your Home at Death.

If Barry wants to leave his house to his kids he will be pleased to find out that his children can inherit the homestead free and clear, regardless of how much money Medicaid may have spent on Barry's care. Yes, Florida protects a home from creditors like Medicaid, credit cards, and hospital bills.

Our homestead is protected if we leave the house to close relatives at our death. We can lose this protection if we do any of the following:

- Draft a Will that states "sell my home at my death and pay the proceeds to my children", (because we didn't leave them the home);



- Draft a Will that leaves our home to our neighbor, (because they are not in the protected class of beneficiaries); or
- Convert our home to rental property, (because we have given someone else the right to reside in the property and it may no longer be our "homestead").

Our Goal

To provide exceptional legal service to our clients.

Neighborly Care Network

Volunteers are needed to deliver hot, nutritious meals to the homebound in Pinellas County. The *Neighborly Care Network* started the local Meals on Wheels program in 1968 delivering 100 meals out of the back of a van. Today they deliver nearly 1,200 meals with the help of 700 volunteers. The Meals on Wheels program is funded by federal, state, and local governments, but local volunteers are needed to deliver the meals to individuals who are too poor to buy food or too frail to shop and cook for themselves. Currently there are 400 people on the waiting list to receive meals.

The *Neighborly Care Network* also started the first Adult Day Care Center in the nation. They now have two centers. One in Largo and one in St. Petersburg. These centers are for seniors who have dementia and cannot stay home alone. They provide much needed respite for caregivers.

In 1973 *Neighborly* opened the first Congregate Dining site in Florida. Today they operate 7 sites in Pinellas County. The dining program offers seniors a place to get a nutritious meal as well as enjoy social interaction with others. These meals are free, however, donations are appreciated.

Free transportation is available to both the Adult Day Care Center and to the dining programs. Donations to this service help to keep the programs operating.



Donuts for Docs



This month our special doctor's office is Dr. Anup N. Desai. Our clients Jose & Pilar Luccioni asked us to recognize Dr. Desai and his staff for the outstanding care they provide. Malisa delivered donuts to their 908 S. Ft. Harrison office with our thanks for providing great service to our clients and the community.

REMEMBER... WE WILL DELIVER DONUTS TO YOUR SPECIAL DOCTOR.

**CALL US NOW 727-443-2708
to nominate your doctor.**



Healthy Breakfast

According to the National Day Calendar, September is "Better Breakfast Month" so we are focusing on healthier breakfast ideas.

"Morning Pizza": Start with a healthy bread (my favorite is high fiber, whole wheat English muffin) spread with 3 tablespoons of low-fat ricotta or cottage cheese and add sliced tomatoes. You can sprinkle it with your choice of garlic powder, grated parmesan cheese, or salt & pepper, to give it



a little pizzazz. If you have time you can place this under a broiler for a few minutes.

"Danish": For a sweeter start to your day, mix ¼ cup of low-fat cottage cheese with a tablespoon of "Simply Fruit" or even some mashed fresh fruit and spread it on the same high fiber, whole wheat English muffin. The muffin, or whatever bread you choose, can be toasted or not. (I prefer it toasted.)

Bette

This Month's Spotlight

Meals on Wheels, sponsored by Neighborly Care Network

These drivers deliver meals to homebound Pinellas County residents every week. Linda Kingsbury has been volunteering for 7 years. David Thomas has been volunteering for 5 years.

We are grateful to Linda, David, and all of the Meals on Wheels volunteers for their service to the community.

Winnie Ngai is a staff member who has been with Meals on Wheels for two years.



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Legal Term of the Month

Filial responsibility law – A statute that establishes a duty for adult children to care for their indigent elderly parents.

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