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ELDER LAW MINUTE

Every now and then I like to offer you an Elder Law exam to see how many of you are reading and understanding my newsletters.

Recently, I had a client present issues which form the basis of the perfect test.

Mary and David owned 50 acres of homeplace property in Blairsville (the names have all been changed). Mary entered Mountainside Nursing Home in 2007, and has been receiving Medicaid assistance since then.

In December 2007, David executed a deed creating a joint tenancy with right of survivorship between himself, his daughter and grandson. Prior to this, the property was held as joint tenants with right of survivorship between David and Mary.

In 2008, the family sold off a few lots in the middle of the acreage. As a result, Mary realized that she still owned half of property. Under a very simple power of attorney, Mary's daughter deeded Mary's interest to herself and her nephew.

What issues can you identify and how would you resolve them? Next week I will share your suggestions and add some of my own.

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