

MISSISSIPPI DIVISION OF MEDICAID
Eligibility Policy and Procedures Manual

301.01.06 OTHER RIGHTS TO USE OF REAL PROPERTY

Type of Ownership	What It Means
Homestead Rights	<ul style="list-style-type: none">• Under state law a surviving spouse (widow or widower) is entitled to the homestead on the real property used as the home at the time of the death of the spouse and to receive income from it for his lifetime.• This is not a life estate interest in the property, but is quite similar.• This situation occurs when spouses jointly or commonly own property without the right of survivorship clause in the property.• The surviving spouse has homestead rights to the portion of the property that belonged to the deceased spouse.• The surviving spouse would also own his/her own interest in the property.• A homestead right does not have value and cannot be sold.