

## **ALASKA UNIFIED CERTIFICATION PROGRAM**

### **(AUCP)**

#### **Guidelines Concerning Marital Assets for**

#### **Disadvantaged Business Enterprises (DBE) Applicants**

*When jointly owned or community property assets were used to acquire the ownership of the business: The Alaska Department of Transportation & Public Facilities (ADOT&PF) Civil Rights Office is mandated by:*

49 CFR Part 26.69 (I) (1) and (2), state:

- (1) When marital assets (other than the assets of the business in question), held jointly or as community property by both spouses, are used to acquire the ownership interest asserted by one spouse, you must deem the ownership interest in the firm to have been acquired by that spouse with his or her own individual resources, provided that the other spouse irrevocably renounces and transfers all rights in the ownership interest in the manner sanctioned by the laws of the state in which either spouse or the firm is domiciled. You do not count a greater portion of joint or community property assets toward ownership than state law would recognize as belonging to the socially and economically disadvantaged owner of the applicant firm.
  
- (2) A copy of the document legally transferring and renouncing the other Spouse's right in the jointly owned or community assets used to acquire an ownership interest in the firm must be included as part of the firm's application for certification.

You may want to get the advice of an attorney or other business professional for assistance regarding this requirement - if it pertains to your situation. Please contact this office if you have any questions @ (907) 269-0851 or 1-800- 770-6236 *within Alaska.*