

Reasons for Decision:

Order # AP1516-0187

The appellant is appealing the decision of the Department to deny the appellant's application for 55 Plus benefits.

The Department received the appellant's application for the 55 Plus Junior benefit on <date removed>. The application was for the benefit year of <dates removed>. The 55 Plus Junior benefit is an income based program and the income tax from the previous year is used to calculate eligibility. In the appellant's case, the appellant's income from <date removed> was used to calculate the appellant's eligibility.

The information showed that the appellant's income of <amount removed> consists of Canada Pension Plan Benefits and other pensions and superannuation. The appellant is single and as the appellant's 2014 income exceeded the amount specified in the Regulation, the appellant's application for 55 Plus benefits was denied.

The 55 Plus Regulation, 2(1) states:

“Subject to subsection (3), a benefit shall be paid to a person who (c) if single, has a net family income of \$9,746.40 or less”

The appellant indicated at the hearing that the appellant just needs financial help. The appellant stated that the appellant has had to borrow money for the appellant's food and utilities which is causing the appellant to go into debt. The appellant said the appellant has tried to get part time work to assist with the appellant's expenses but has had no success. The appellant stated that the appellant is very frustrated at the program's eligibility requirements and needs any help the appellant can get.

After carefully considering all the written and verbal information presented at the hearing, the Board has determined that the Department has correctly assessed the appellant's eligibility for the 55 Plus Program in accordance with the legislation and the policies. There is no provision in the legislation to provide benefits when a participant is over the maximum income allowance of the program or to include non- allowable deductions. Therefore, the decision of the Director is confirmed and the appeal has been dismissed.

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