

Reasons for Decision:

Order #AP1718-0092

The appellant appealed that the amount of Rent Assist benefits was insufficient.

The appellant and family arrived in Canada in <dates removed>. When they applied for Rent Assist benefits in <dates removed>, the Regulation required that their income from 2015 be used to calculate eligibility. As the family was not in Canada in 2015, they did not file a 2015 income tax return, so the program needed to determine their income for that year through their declaration of “World Income” used when they applied for the Canada Child Tax Benefit.

The “World Income” was declared as <amount removed> which would indicate a monthly income of <amount removed>. Rent Assist benefits are calculated by subtracting 25% of the monthly income from the maximum monthly benefit for the household size. In this case: 25% of <amount removed>= <amount removed>. The maximum allowable benefit for a family of four is \$758. <Amounts removed> (These amounts will be changing effective July 1, 2017.)

The appellant and the advocates submitted that the income earned in their home country is not reflective of their current circumstances and needs while living in Canada. They therefore do not feel that calculation is fair to the family as it is not helping them with their transition into life in Canada.

At the hearing the program representatives indicated that the family does have the option to cancel their Rent Assist Benefits at the end of June, 2017, and reapply effective July 1, 2017 so that their eligibility could be calculated based on their 2016 income which would likely result in a higher benefit.

After carefully considering the written and verbal information the Board has determined that the appellants’ eligibility for the Rent Assist benefit was correctly calculated in accordance with the Manitoba Assistance Regulation. Any applications received between the months of January and June are to be assessed based on the income from two years prior. This often means for many applicants that their financial circumstances at the time they apply are significantly altered from the income received in the year on which the assessment is based. However this is clearly indicated in the Regulation in Section 11.1.1(2), and the regulation does not allow for any discretion by the director. Therefore, the decision of the Director has been confirmed.

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