

Reasons for Decision:

Order # AP1718-0175

The appellant appealed that the amount of Rent Assist the appellant is receiving is insufficient.

The program representative stated that the appellant and spouse receive the Rent Assist supplement which expired in <date removed>. Their reapplication was received on <date removed>. The reapplication was approved for one year in the amount of <amount removed> monthly using their 2015 Canada Revenue Agency household annual net income of <amount removed>.

In accordance with the Manitoba Assistance Regulations, an application that is received in the first six months of the year (January to June) will be processed based on the income for the second preceding calendar year, and an application received in the last six months (July to December) will be processed based on the income for the previous calendar year. The regulation does not allow for any adjustments based on a change in circumstances or financial hardship.

The appellant requested a reconsideration as the spouse has been unemployed since <date removed> due to <text removed> and the appellant has been on <text removed> since <date removed>. As their income has drastically changed from their 2015 income tax return they were hoping for reconsideration. The appellant stated that they respect the program's policy, however the decreased benefit amount was a surprise to them and the need for assistance is greater now.

Section 11.1.1(2) of the Manitoba Assistance Regulations state states:
When an application for shelter assistance under this Part is made

- (a) in the first six months of a calendar year, a person's net income is to be determined based on the taxation year that ended on December 31 of the second preceding calendar year; and
- (b) in the last six months of a calendar year, a person's net income is to be determined based on the taxation year that ended on December 31 of the preceding calendar year.

After carefully considering the written and verbal information the Board has determined that the appellant's eligibility for Rent Assist benefits has been calculated in accordance with the provisions of The Manitoba Assistance Regulation. The regulation calculates the amount payable on a sliding scale based on a person's income. Although the Board sympathizes with the family's reduction in income, the regulation does not allow for any discretion to review current circumstances and income situations where a person's income is significantly lower than the amount reported in the previous year's income tax return. Therefore the decision of the Director has been confirmed and this appeal has been dismissed.

DISCLAIMER