

**Reasons for Decision:**

**Order #AP1718-0276**

The appellant appealed the effective date of the Rent Assist benefits.

The appellant had been in receipt of Employment and Income Assistance benefits until the appellant returned to school in <date removed>. At that time the appellant's income assistance file was closed as the appellant would be receiving financial assistance through the Student Aid program. The appellant indicated that the appellant received an email from the income assistance case worker advising the appellant that if the appellant gave the worker permission, the worker could forward the appellant's information over to the Rent Assist Program on the appellant's behalf. The appellant indicated that the appellant asked the EIA worker to do this, and assumed that this was all that was required.

After several months of not hearing whether the appellant qualified for the Rent Assist Program, the appellant contacted the program and was advised that the appellant would have to submit an application, and they had not received any information from the EIA worker.

The appellant advised that the appellant made several attempts to apply online at the end of <text removed>, but the appellant's emails kept bouncing back. The appellant stated that the appellant was experiencing a great deal of stress in life at that time, and did not get a paper copy of the application to the office in person until late <text removed>.

The Rent Assist program received the appellant's application for Rent Assist benefits on <date removed>. The program policy states that benefits are effective the first of the month in which a completed application is received. The application was processed based on the appellant's 2015 income tax return, and the appellant was found eligible for <amount removed> per month. The program provided benefits to the appellant effective <date removed>. The additional month's assistance was issued based on the Director's discretion. The Rent Assist program representative indicated at the hearing that he was not aware of any internal processes that would transfer a person's eligibility for shelter assistance from EIA to Rent Assist. As far as he was aware, a new application needed to be submitted once the income assistance file had been closed.

The Manitoba Assistance Act which governs both The Employment and Income Assistance Program and The Rent Assist Program states in Section 5.3.3:

Portability of shelter assistance

5.3.3 The director must take steps to ensure that a person who receives shelter

assistance while receiving income assistance or general assistance continues to receive shelter assistance even if he or she no longer qualifies for income assistance or general assistance, provided that he or she continues to meet the applicable eligibility requirements.

After carefully considering the written and verbal information, the Board has determined that the Director has not met the obligation required under Section 5.3.3 of The Manitoba assistance Act. There is no dispute as to whether the appellant met the applicable eligibility requirements for continued shelter assistance. In accordance with The Act, the Director did not take the steps required to ensure the portability of shelter assistance when the appellant's income assistance file was closed. The decision of the Director has therefore been rescinded, and the Board orders that the appellant receive the entitlement of <amount removed> per month Rent Assist benefits effective <date removed>.

## **DISCLAIMER**

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