

**Reasons for Decision:**

**Order # AP1718-0704**

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

The Program representative stated that the appellant and their spouse reapplied for the Rent Assist benefit in <date removed>. The family was approved for a benefit amount of <amount removed> per month effective <date removed> for one year. The income used in the calculation was the household annual net income of <amount removed> as stated on the Certified Income Tax information. The family arrived in Canada in <date removed>. Their previous benefit amount was higher based on world income of <amount removed> for the year.

The program does not reassess Rent Assist based on fluctuations of income throughout the year. Rather, the benefit is solely determined by what was reported to Canada Revenue for the appropriate tax year.

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 stated that their income is significantly lower now as they are no longer working and is collecting Employment Insurance benefits. The appellant is taking care of their spouse, who is not working, and their young child. The appellant requested a recalculation of their benefits as their income has changed which would make a significant difference in the Rent Assist benefit amount.

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 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**

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